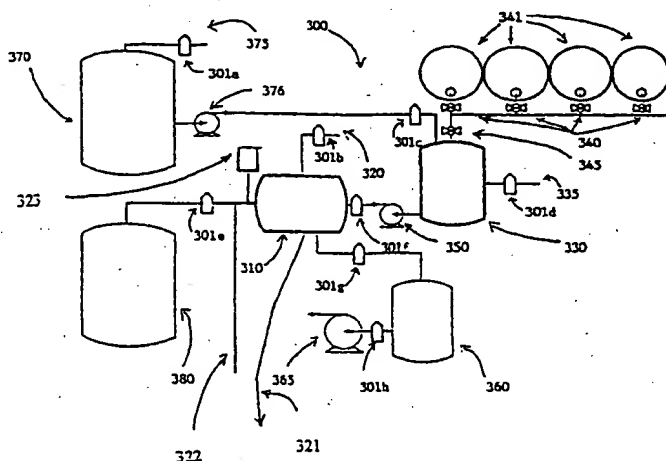




## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

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<p>(21) International Application Number: <b>PCT/US99/26407</b></p> <p>(22) International Filing Date: <b>8 November 1999 (08.11.99)</b></p> <p>(30) Priority Data:</p> <table border="0"> <tr> <td>09/191,232</td> <td>13 November 1998 (13.11.98)</td> <td>US</td> </tr> <tr> <td>09/378,527</td> <td>20 August 1999 (20.08.99)</td> <td>US</td> </tr> <tr> <td>09/390,174</td> <td>7 September 1999 (07.09.99)</td> <td>US</td> </tr> </table> <p>(71) Applicant (for all designated States except US): <b>REGENERATION TECHNOLOGIES, INC. [US/US]; 1 Innovation Drive, Alachua, FL 32615 (US).</b></p> <p>(72) Inventors; and</p> <p>(75) Inventors/Applicants (for US only): <b>MILLS, C., Randal [US/US]; 1 Innovation Drive, Alachua, FL 32615 (US). WIRONEN, John, F. [US/US]; Unit 101, 707 S.W. 75th Street, Gainesville, FL 32607 (US). HANSTKE, Sean [CA/CA]; 690 Rowntree Dairy Road, Woodbridge, Ontario L4L517 (CA).</b></p> <p>(74) Agent: <b>BENCEN, Gerard, H.; Bencen &amp; Van Dyke, P.A., 1630 Hillcrest Street, Orlando, FL 32803 (US).</b></p>	09/191,232	13 November 1998 (13.11.98)	US	09/378,527	20 August 1999 (20.08.99)	US	09/390,174	7 September 1999 (07.09.99)	US	<p>(81) Designated States: <b>AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GE, GH, GM, HR, HU, ID, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).</b></p> <p><b>Published</b></p> <p><i>With international search report.</i></p> <p><i>Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i></p>
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(54) Title: TISSUE POOLING PROCESS



## (57) Abstract

This invention includes a novel method for safely, effectively and efficiently pooling of tissues for treatment prior to implantation into a recipient in need thereof. In one embodiment, the method includes perfusion of a porous implant which achieves efficient interpenetration of desired factors into and removal of undesirable factors from the pores of the implant, cleaning of the implant, efficient passivation of the implant (inactivation of pathogens, microorganisms, cells, viruses and the like and reduction in antigenicity thereof), and the novel implant produced by such treatment. The process presents a system wherein the rate of pressure cycling, the fact of pressure cycling, and the amplitude of pressure cycling, results in highly cleaned tissues and other implants for implantation. Target decontamination goals for this process include between about a one (1) to twelve (12) log reduction in bacterial contamination, between about a one (1) to fifteen (15) log reduction in enveloped virus contamination, up to about a five (5) log reduction in non-enveloped virus contamination, between about a two (2) to ten (10) fold reduction in endotoxin, maintenance of implant or graft biologic and biomechanical properties, absence of tissue toxicity due to cleaning solutions used, and reduced implant antigenicity.

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1.0 TITLE OF THE INVENTION

## TISSUE POOLING PROCESS

This application is a continuation-in-part of Application Serial No. 09/191,232, filed  
5 November 13, 1998, pending, and of Application Serial No. 09/378,527, filed August 20,  
1999, pending.

2.0 BACKGROUND OF THE INVENTION:2.1 FIELD OF THE INVENTION:

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This invention is a novel method for pooling tissue. In one embodiment, the process includes  
the steps of perfusion of a porous implant which achieves efficient interpenetration of desired  
factors into the pores or channels of the implant, cleaning of the implant, efficient passivation  
of the implant (inactivation of pathogens, microorganisms, cells, viruses and the like and  
15 reduction in antigenicity thereof), and the novel implant produced by such treatment. This  
invention also provides a method for *ex vivo* treatment of diseased tissue, which may be re-  
implanted, free of diseased tissue.

2.2 DESCRIPTION OF KNOWN PROCEDURES FOR IMPLANT TREATMENT:

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As used in this disclosure, the term "implant" refers to any material the implantation of which  
into a human or an animal is considered to be beneficial. Accordingly, the implant may be  
tissue-derived material, such as bone, skin, and the like, or it may be a metallic or synthetic  
material having an internal structure that may require cleaning or sterilization. The implant  
25 may comprise autograft tissue, allograft tissue, xenograft tissue or combinations thereof, and  
in the case of mineralized tissues, such as bone, the implant may comprise mineralized tissue,  
partially demineralized tissue, completely demineralized tissue, and combinations thereof.  
Bearing this definition in mind, it will be apparent that procedures have been described in the  
art for treatment of implants to either clean such implant, inactivate contaminating  
30 microorganisms or cells that may be present in or on such implant, or to infuse the implant  
with desirable factors. This section of the disclosure discusses several known methods for

achieving one or more of these results, in order to more clearly and definitively set forth that which has been invented, and which is disclosed and claimed as novel and inventive, as defined by the claims appended hereto.

- 5 European Patent Application No. EP 0 424 159 (Osteotech) - "Aseptic Processing of Allograft Bone and Tissue," (published April 24, 1991, based on a U.S. Priority application filed October 19, 1989), is an extremely general disclosure relating to aseptic processing of allograft bone and tissue.
- 10 U.S. Patent No. 5,333,626 (Cryolife) - "Preparation of Bone for Transplantation", relates to a method of preparing bone for transplantation by maintaining the internal matrix of the bone to be implanted, preferably at high pressure, in the presence of a decontaminating agent, preferably polyvinyl pyrrolidone-iodine (PVP-I) optionally in the presence of a detergent, in solution. The "high pressure" feature of this patent is described at column 5, lines 10-31:
- 15 "High pressure washing conditions should provide a force sufficient to drive the cleaning solution into internal matrix of the bone. Such high pressure washing conditions include, for example, vigorous agitation, such as with a paint can shaker, or high pressure lavage such as with a high pressure liquid jet stream...The pressure of the liquid jet stream is preferably 100 to 3,000 psi and most preferably 500 to 1,500 psi." However, the patent does not disclose or
- 20 suggest exposure of an implant to an oscillating atmospheric pressure, the referenced patent requires pressures significantly higher than those required according to the present invention, and it is only applicable to bone, while the present invention is applicable to bone or soft tissue. In addition, the claimed process requires approximately 1-2 days to complete.
- 25 U.S. Patent No. 5,513,662 (Osteotech) - "Preparation of Bone for Transplantation", relates to a method of preparing bone for transplantation in which the internal matrix of the bone is maintained at a pressure below one atmosphere. It is disclosed (column 10, lines 13-19) that "optimum times for maintaining pressure below ambient are generally in the range of 30 to 60 minutes but can be determined for each application by monitoring progress of blood and lipid
- 30 extraction (see Example 10)." It is further disclosed that generally use of gas pressure below ambient for less than two minutes will be ineffective and use for longer than five hours will

confer no further benefit. Thus, the '662 patent requires that the bone be maintained for substantial periods of time at pressures below one atmosphere. There is no disclosure or suggestion of rapidly cycling between elevated and decreased pressures, even though it is suggested that the bone might first be treated at an elevated pressure, followed by a treatment  
5 step at a pressure below atmospheric pressure (see, for example, claim 3, column 15). The present invention discloses a process wherein transient and cyclical exposure of an implant material to a given pressure achieves the desired result of implant cleaning, perfusion or passivation.

10 U.S. Patent No. 5,556,379 (LifeNet Research Foundation) - "Process for Cleaning Large Bone Grafts and Bone Grafts Produced Thereby," describes the "Allowash" process. The patent is explicitly directed to the removal of "bone marrow from the luminal and cancellous bone spaces in large, essentially whole, bone grafts." (See Summary of the Invention). Accordingly, the referenced patent is directed only to treatment of bone, which has to be  
15 largely intact. The stated intent in applying the process to essentially whole bone grafts is to reduce the load of potentially virus carrying bone marrow to facilitate preparation of smaller bone grafts therefrom. The process involves applying a vacuum to the bone graft to draw solution capable of solubilizing bone marrow through articulating cartilaginous surfaces and through the intact bone's intramedullary canal or other bone cavity. The patent neither  
20 discloses nor suggests a method in which oscillating pressures are used to clean a bone graft.

U.S. Patent No. 5,380,826 (Aphios Corporation) - "Supercritical Fluid Disruption of and Extraction from Microbial Cells", relates to a method for harvesting intracellular components by exposing cells to an elevated pressure in the presence of a solvent, and then rapidly and  
25 suddenly releasing the pressure to effect disruption of the cells. The patent also discloses an apparatus for carrying out this process continuously. However, this patent neither discloses nor suggests applying the cell disruption method to allograft bone.

U.S. Patent No. 5,288,462 (Stephen D. Carter)- "Sterilization Apparatus and Method", describes a chamber for receiving a material to be sterilized by repeatedly subjecting the  
30 chamber to elevated pressures, followed by sudden release of the pressure, i.e. "explosive decompression." The patent requires that the chamber be pressurized to at least 1000 psi.

The patent neither discloses, suggests, nor claims application of this method or chamber to sterilization of bone materials. There is no disclosure of cleaning solutions used in connection with the described apparatus that would be effective in sterilizing the matrix of a bone. There is no disclosure that would allow one skilled in the art to determine, without  
5 undue experimentation, that bone could be sterilized in this apparatus. In addition, there is no disclosure nor suggestion that an implant could be sterilized without use of such highly elevated pressures, but merely by oscillation of lower absolute pressures.

U.S. Patent No. 5,725,579 (Bioland) - "Process for Treating Bone Tissue and corresponding  
10 Implantable Biomaterials", is directed to a method of cleaning bone by exposing the bone to a supercritical fluid. As best as can be understood from this patent, this involves exposing bone to carbon dioxide at elevated pressures, in order to solubilize lipids.

Tissue sterilization methods known in the art have undesirable attributes. Gamma irradiation,  
15 in order to ensure destruction of pathogens, such as the human immunodeficiency virus (HIV), has to be used at doses that result in tissue destruction (e.g. 3.5 Mrad; see, for example, Rasmussen, et al., J. Arthroscopic and Related Surgery, 10(2):188-197, (1994); Goertzen, et al., British Soc. of Bone and Joint Surg., 77:204-211 (1005); Loty, et al., International Orthopaedics, 14:237-242, (1990)). Use of ethylene oxide has been found to  
20 result in implants that produce inflammatory responses (Kudryk, et al., J. Biomedical Materials, 26:1477-1488, (1992); Thoren, et al., Clin. Orthopaedics, 318:259-263, (1995); Simonian, et al., Clin. Orthopaedics, 302:290-296, (1994); Jackson, et al., Am. J. Sports Medicine, 18:1-9, (1990)). Standard chemical solution treatments, while effective in sterilizing surfaces with which the solutions are brought into contact, have the major  
25 disadvantage of being insufficiently penetrating to reach the interstices of tissues, where potentially pathogenic organisms may reside. In view of these shortcomings, there remains a long-felt-need for an optimized tissue sterilization process, which would incorporate some or all of the following features: Effective removal or inactivation of a wide range of bacterial and viral pathogens; absence of graft toxicity; retention of desirable tissue characteristics,  
30 such as biomechanical strength or growth-inducing properties; effectiveness across a wide range of operating modifications and for a wide variety of tissue types; ability to conclude the

process in a final implant tissue container, to ensure sterile packaging and delivery for implantation.

In view of the foregoing review of the known art relating to implant treatment and sterilization methods, it is believed that the present invention provides a long needed improvement in that no absolute temperatures or pressures are required to achieve efficient implant cleaning, perfusion, or passivation. In addition, the instant method does not require drilling of holes in implant materials or any other manipulation or modification in order to achieve efficient implant cleaning and sterilization. Furthermore, the present method permits safe pooling of donor tissue for implant production at economies of scale, without at the same time diminishing the desirable biological properties of the pooled implant materials. The instant process includes a number of methodologies, the additive effect of which is the production of highly cleansed, sterilized (passivated) tissues, which may be implanted, without causing toxicity to the recipient. Various embodiments of the method of this invention include all of the above listed features, namely: effective removal or inactivation of a wide range of bacterial and viral pathogens; absence of graft toxicity; retention of desirable tissue characteristics, such as biomechanical strength or growth-inducing properties; effectiveness across a wide range of operating modifications and for a wide variety of tissue types; ability to conclude the process in a final implant tissue container, to ensure sterile packaging and delivery for implantation. Furthermore, in certain embodiments, osteogenic factors, chondrogenic factors, antibiotics, antineoplastics, antiinflammatories, or other biologically active agents, or combinations of such agents, are infused into implants. In one specific embodiment, the infused agent is a bone morphogenic protein. In another specific embodiment, the infused agent is a nucleic acid which actively encodes an osteogenic, chondrogenic or other growth factor. In yet a further embodiment, the process of this invention is used to treat autograft material *ex vivo* for reimplantation. Given the definition of the term "implant" as used herein, those skilled in the art will appreciate that an implant according to this invention may comprise autograft tissue, allograft tissue, xenograft tissue or combinations thereof. Thus, because of the enhancements of the present method, tissue from different donors may be combined, and indeed, animal tissue and human tissue treated according to the methods of this invention may be combined to form an implant. In the case

of mineralized tissues, such as bone, the implant may comprise mineralized tissue, partially demineralized tissue, completely demineralized tissue, and combinations thereof. As is known in the art, there is substantial variation in the bone inducing properties of different preparations of demineralized bone matrix (DBM) from the same donor, and even wider  
5 differences when the DBM, whether in powdered or other form, is derived from different donors. Those skilled in the art will appreciate from the present disclosure that pooling of various preparations of DBM to achieve batches of DBM of consistent quality and bone inducing capacity is enabled by the methods disclosed herein.

### 10 3.0 SUMMARY OF THE INVENTION

This invention provides a process whereby tissue originating from one or more donors is safely combined with tissue from one or more other donors. Allograft may be combined with autograft, xenograft or combinations thereof, according to the method of this invention. In  
15 addition, this invention enables the production of pooled batches of tissue with consistent and readily reproducible properties, due to the blending of the properties of tissues from different donors.

In one embodiment, the invention comprises a process wherein an oscillation of pressure is  
20 created in a chamber containing an implant material in the presence of various cleaning solutions (0.5% tri(n-butyl)phosphate, TNBP; hydrogen peroxide and the like). The process essentially comprises the following steps, assuming a metallic or synthetic material having an internal matrix or space, or cleaned (debrided) graft material, which may or may not have undergone initial machining, is used as the starting material:

- 25 1. Rapidly evacuate the chamber containing the implant, autograft, allograft or xenograft material;
2. Rapidly backfill the chamber with cleaning solutions - e.g. H<sub>2</sub>O<sub>2</sub> /TritonX-100/TNBP/Betadine mixtures;
- 30 3. Pressurize chamber;

4. Rapidly cycle between steps (1) and (3), for between about 1-150 cycles, maintaining a temperature of between about 35-40 degrees centigrade, with optional application of ultrasonic energy;
5. Machine the product as desired if not previously machined;
- 5 6. Repeat steps (1)-(4) using the same or a different cleaning compositions, optionally under elevated or reduced temperature; and
7. Optionally perform a surface decontamination step, preferably in the final packaging, as in exposure to vapor phase  $H_2O_2$  or like surface decontamination treatments known in the art.

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The absolute pressures of the system do not appear to be extremely critical to achieving deep, penetrating cleaning of the implant or graft materials. Rather, it is the rate of pressure cycling, the fact of cycling, and possibly the amplitude of pressure cycling, that appears to be critical to the success of this method. Accordingly, the entire process may be successfully

15 conducted at pressures above or below one atmosphere. Evacuation pressures of 25 inches of mercury to the vapor pressure of the solutions in the chamber are adequate. Backfill pressures of between about 40 and 100 PSI are also adequate. In one embodiment, the entire process is conducted in a chamber which permits for sonication of the contents throughout or at particular stages of the process. Preferably, where nucleic acid is to be infused into the

20 implant, this is conducted in the absence of sonication, which could disrupt the nucleic acid. In addition, preferably, the entire process is conducted in a programmable system under computer or programmable logic circuit control, so that manual processing is minimized and reproducibility of the process is maximized. Where the processed tissue is a bone implant or any form of allograft or xenograft tissue, election of appropriate solvents, such as urea

25 (preferably about 6 M), or other chaotropic reagents, (e.g. 4 M guanidine hydrochloride, or the like), has the additional advantage of producing a processed tissue of even lower antigenicity than if such treatment were not included. Target decontamination goals for this process include:

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- Between about a one (1) to twelve (12) log reduction in bacterial contamination
  - Between about a one (1) to fifteen (15) log reduction in enveloped virus contamination
  - Up to about a five (5) log reduction in non-enveloped virus contamination
  - 5 • Between about a two (2) to ten (10) fold reduction in endotoxin
  - Maintenance of implant or graft biologic and biomechanical properties
  - absence of tissue toxicity due to cleaning solutions used
  - reduced implant antigenicity
- 10 Such treatments and desirable results may also be applied to treatment of diseased tissue which may be harvested, treated *ex vivo*, and re-implanted.

Accordingly, it is an object of this invention to provide a method for safely, efficiently and effectively pooling tissue from one or more donors with tissue from one or more additional  
15 donors, for subsequent implantation into a recipient in need thereof.

A further object of this invention is to provide a method for production of safe and effective allograft, autograft, xenograft, metallic or synthetic implants in an efficient, economical manner.

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It is a further object of this invention to permit safe pooling of tissue donor sources for implant production, while minimizing the risk that any single contaminated donor will contaminate any other donor tissue or any recipients of the pooled tissue processed according to the method of this invention.

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Another object of this invention is to provide a method for cleaning, perfusing or passivating implant materials without at the same time compromising the desirable biological properties of the starting implant materials.

30 A further object of this invention is to produce implant materials of reduced antigenicity.

A further object of this invention is to provide implants perfused with desirable biologically active substances, including but not limited to nucleic acids, growth factors, antibiotics and the like.

- 5 A further object of this invention is to provide a therapeutic method for harvesting of diseased tissue, *ex vivo* treatment, and re-implantation thereof.

- A further object of this invention is to provide implants comprising allograft, autograft, xenograft, or combinations thereof which have been treated to render the pooling of such  
10 tissues safe for implantation into a recipient thereof.

A further object of this invention is to provide a method whereby consistent tissue implant properties are achieved by means of pooling tissues from the same or different donors, including demineralized bone matrix and the like.

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Further objects and advantages of this invention will become apparent from a review of the complete disclosure, including the claims which follow.

#### 4.0 Brief Description of the Drawings:

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Figure 1A provides a schematic in which the cyclic perfusion passivation process of the invention through seven cycles is shown, while figure 1B shows the cyclic pressure and fluid exposure to implant materials treated according to the method of this invention.

- 25 Figure 2 shows a schematic of one embodiment of an apparatus that may be employed to effect the method according to this invention.

Figure 3 shows a schematic representation of a further embodiment of an apparatus layout for conducting the method according to this invention.

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Figure 4 provides an overall flow-chart of the various stages of processing an implant according to the cyclic perfusion passivation process of this invention from donor tissue acquisition through final sterile product packaging.

- 5     Figure 5 provides one embodiment of a detailed processing containment layout for conducting the method according to this invention.

Figure 6 is a photograph of a whole humerus after being treated according to the method of this invention; a post-cleaning coronal section through the head of the humerus reveals the  
10     cleanliness of the inner bone matrix.

Figure 7 is a photograph of an intact knee, including proximal tibia, distal femur and patella, along with articulating tendons and ligaments, before treatment according to the method of this invention.

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Figure 8 is a photograph of the intact knee shown in figure 7, after treatment according to the method of this invention, showing cleanliness of the implant, and preservation of the articulating tendons and ligaments.

- 20     Figure 9 is a photograph of an anterior aspect of a coronal section through the proximal femur prior to treatment according to the method of this invention.

Figure 10 is a photograph of the posterior aspect of the coronal section through the proximal femur shown in figure 9, after treatment according to the method of this invention.

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Figure 11 is a photograph of the sections shown in figures 9 and 10, side-by-side, demonstrating the effectiveness of the treatment according to this invention for removal of endogenous substances.

- 30     Figure 12 is a photomicrograph of an osteon from cortical bone without fluoroisothiocyanate (FITC) fluorescent dye treatment (400X magnification).

Figure 13 is a photomicrograph of an osteon from cortical bone after inclusion of FITC in one of the cleaning solutions of this invention, demonstrating deep interpenetration of the dye into the smallest of bone interstices - bright green areas indicating structures containing FITC, including the large haversian canal (right margin) and smaller satellite lacunae (central area; 400X magnification).

Figure 14 provides a model system for testing the efficacy of a liquid sterilization process for cortical bone.

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Figure 15 provides results from treatment of bone according to the method of this invention as compared with irradiative or lyophilization treatment alone from a bone compression testing objective.

Figure 16 provides the results of cortical bone rehydration under ambient pressure, negative pressure, positive pressure, or cyclic negative and positive pressure conditions, according to the method of this invention.

Figure 17 provides the results of an analysis of release of perfused biomolecules from a bone matrix.

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#### 5.0 Detailed Disclosure of the Preferred Embodiments:

As used herein, the term "passivate" is intended to refer to the elimination of potentially pathogenic organisms and immunogenic substances from an implant. Thus, both sterility and reduced antigenicity is intended by this term, although elimination of beneficial biological properties of the implant, such as osteogenic properties (osteoconduction or osteoinduction; bone fusion), natural tissue functionality, and desirable structural strength of an implant are not intended by this term. The term "passivation" is preferred to the term "sterilize" because, while sterilization is a goal, that term has an absolute connotation which can rarely, if ever, be completely achieved without attendant tissue destruction. In addition, while the implants

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produced according to the method of this invention may not be completely devoid of any antigenicity or pyrogenicity, these undesirable aspects are greatly reduced, and this too is intended by the term "passivation," as used herein.

- 5 The terms "perfused" or "perfusion," as used herein, are intended to imply efficient interpenetration of cleaning solutions or biologically active substances into and through the channels and crevices of materials intended for implantation into a recipient.

- As used herein, the terms "rapid" or "rapidly" as they are applied to the process of pressure  
10 cycling according to this invention mean time frames on the order of seconds to minutes, rather than hours or days.

- The terms "sonicate" or "sonication" as used herein mean the application of sonic or ultrasonic energy via a container of an implant undergoing processing according to the  
15 method of this invention under conditions that permit efficient transfer of the sonic energy to the implant. Those skilled in the art are familiar with the process of sonication and conditions whereby sonic energy may be transferred through a fluid to a workpiece such that efficient cleaning and bacterial or cellular disruption is achieved, without resulting in gross, ultrastructural damage to the workpiece.

- 20 This invention provides a novel method for processing implant materials including, but not limited to, metallic implants, synthetic implants, ceramic implants, autograft, allograft or xenograft materials, including bone and soft tissue, mineralized or demineralized tissues and combinations of the foregoing types of tissues. In particular, soft tissue or allograft bone  
25 materials treated according to the method of this invention permit soft tissue or debrided allograft, autograft or xenograft bone to be thoroughly cleaned, machined, sterilized, packaged and then implanted at economies of scale heretofore not possible. In the past, tissue banks have attempted, as much as possible, to process tissue from single donors, without permitting contact between tissue derived from different donors. The concern has been that  
30 any given donor tissue may contaminate other donor tissue. Due to the extreme value of any donor's tissue, the risk of a large batch of donor tissues being found to be contaminated has

been considered an unreasonable risk. However, according to the method of the present invention, even if heavily contaminated donor tissue is included in a batch of pooled donor tissue, the resultant graft material available for implantation is safe for implantation.

5 Methods for minimizing the risk that donor tissue will be harvested and processed by a tissue bank, referred to herein as "donor qualification", are known in the art. Accordingly, thorough donor screening, and tissue testing by enzymatic, immunological, biochemical and molecular biological techniques are applied to minimize the risk that tissue carrying pathogens (viruses, bacteria, and the like) will be included in the materials processed and made available for  
10 implantation. Testing for contamination by human immunodeficiency virus, HIV, hepatitis B virus, HBV, hepatitis C virus, HCV, has now become routine in the art. Known screening and qualification methods are desirably included as an initial step preceding processing of the implant material according to the present method. Due to the highly efficient implant cleaning, permeation and passivation process encompassed by the instant invention, it is  
15 further expected that as yet unidentified potentially pathogenic organisms or organisms for which routine testing has yet to be developed (eg. prions) will, in any event, be removed from implant materials by virtue of the instant implant treatment process. Redundancy in the level of implant cleaning that is built into the instant pressure cycling permeation and passivation process ensures inactivation of such organisms or potentially pathogenic factors while at the  
20 same time permitting efficient implant processing.

For purposes of the following description, allograft bone is referred to as an exemplary tissue that may be processed according to the present method. However, those skilled in the art will recognize that other tissues, including but not limited to autograft bone, xenograft bone, other  
25 porous tissues, synthetic porous materials, and various soft tissues, may be processed according to the principles defined herein, without departing from the spirit of the invention exemplified herein by reference to allograft bone material. Given the definition of the term "implant" as used herein, those skilled in the art will appreciate that an implant according to this invention may comprise autograft tissue, allograft tissue, xenograft tissue or  
30 combinations thereof. Thus, because of the enhancements of the present method, tissue from different donors may be combined, and indeed, animal tissue and human tissue treated

according to the methods of this invention may be combined to form an implant. In the case of mineralized tissues, such as bone, the implant may comprise mineralized tissue, partially demineralized tissue, completely demineralized tissue, and combinations thereof. As is known in the art, there is substantial variation in the bone inducing properties of different preparations of demineralized bone matrix (DBM) from the same donor, and even wider differences when the DBM, whether in powdered or other form, is derived from different donors. Those skilled in the art will appreciate from the present disclosure that pooling of various preparations of DBM to achieve batches of DBM of consistent quality and bone inducing capacity is enabled by the methods disclosed herein.

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According to this invention, allograft bone material from qualified donors is first treated by various known bioburden reducing methods, as in cleaning by debriding adventitious tissue according to methods known in the art. Manual dissection may be employed for removal from the bone surfaces of ligaments, tendons, skin, fat, muscle, loose bone marrow, and any other non-bone tissue. Alternatively, automated or semi-automated methods known in the art, (see, for example, the methods disclosed in U.S. Patent Nos. 5,333,626; 5,513,662; 5,725,579, and the like, herein incorporated by reference for this purpose), may be employed for initial cleaning of the donor bone material.

20

At this stage of the process, the cleaned allograft, autograft or xenograft materials from individual donors may be pooled and further cleaned as described below. Alternatively, the allograft, autograft or xenograft bone may be machined to the final implant dimensions, followed by pooling with a batch of similarly processed, dimensioned implants for further cleaning as described below. It will be appreciated from the foregoing disclosure and the disclosure that follows that tissue from a single donor may be processed according to the method of this invention. However, the instant method also facilitates pooling of tissues, same or different, from more than a single donor. The instant method also provides for production of composite implants wherein a first tissue from a first donor is combined with a second tissue from the same or a different donor, to produce a unitary composite implant..

30

For tracking purposes, while individual donors would have been tracked up to this stage, upon pooling, a batch number is defined for further tracking, with records being maintained

of all of the donors that have contributed to the batch. In yet a further alternative, and to ensure redundancy in the level of cleaning and potentially pathogenic contaminant inactivation, implant materials from individual donors may first be treated as described below, prior to pooling with implant materials from different donors. In this event, the  
5 implant material from individual donors may be further cleaned whole or first machined to desired final dimensions.

When applied to bone, subsequent to initial bioburden reduction and surface cleaning, the method of this invention provides for further processing whereby bone marrow, blood,  
10 proteins, and particulate matter is efficiently removed, such that what remains is essentially a mineralized collagen matrix, in which about a 5 to 6 log reduction in any form of viable organisms (viruses, bacteria, amoebae, rickettsia, fungi) is achieved. As described in greater detail below, this is achieved by a process of pressure cycling or oscillation, employing a variety of cleaning and sterilization solutions which are caused to efficiently interpenetrate  
15 the matrix. By repeated cycling and changing of the cleaning solvents, the channels of essentially any porous matrix are unclogged, and cleansed. A pre-defined, pre-programmed cycle of washes is employed, preferably with concurrent ultrasonic bombardment, to achieve penetrating sterilization of the implant. We have found that the combination of oscillating fluid pressure and ultrasonic energy accelerates solution interpenetration and endogenous  
20 substance removal. Where interpretation of nucleic acids encoding desired gene products is the goal, it is preferred to effect such interpretation in the absence of ultrasonic energy. This consideration applies to any biologically active compound which may be sensitive to destruction by ultrasonic energy.

25 In view of the foregoing description, it will be appreciated that in one embodiment, the invention includes a method which comprises the following steps:

1. Rapidly evacuate a chamber containing the implant such as porous metallic or synthetic materials, autograft, allograft or xenograft;
- 30 2. Rapidly backfill the chamber with cleaning solutions - e.g. H<sub>2</sub>O<sub>2</sub> /TritonX-100/TNBP/Betadine mixtures;

3. Pressurize chamber;
4. Rapidly cycle between steps (1) and (3), for between about 1-150 cycles, maintaining a temperature of between about 35-40 degrees centigrade, with optional application of ultrasonic energy;
5. Machine the product as desired if not previously machined;
6. Repeat steps (1)-(4) using the same or a different cleaning compositions, optionally under elevated or reduced temperature; and
7. Optionally perform a surface decontamination step, preferably in the final packaging, as in exposure to vapor phase  $H_2O_2$  or like surface decontamination treatments known in the art.

The process of perfusion passivation is further defined with reference to figure 1A. This schematic shows an implant **100** comprising solid structural constituents **110**, channels **120**, and adventitious materials **130** embedded within the channels **120**. The structural constituents **110** may be synthetic materials, as in man-made polymeric material, (e.g. poly-L-lactic acid, acrylic acids, and the like), metallic structural materials, or natural materials, such as a mineralized or demineralized collagen matrix, autograft, allograft or xenograft bone or other tissue. The channels **120** may be man-made channels, defined by the polymerization, molding, melting or other manufacturing process, or may be natural channels, such as those found in mineralized or demineralized cancellous or cortical bone matrices. The adventitious materials **130** may be cellular debris, bone marrow, cells, lipids, carbohydrates, proteins, viruses, bacteria, rickettsia, amoebae, fungi and the like. In figure 1A, panels (1) and (2) relate to the first step described above. In panel (1), the channels **120** are primed for back-filling with cleaning solutions by exposing the tissue to decreased pressures. In panel (2), the cleared channels **120** are shown to be substantially clear of adventitious materials **130**. Panel (3) relates to steps 2 and 3, wherein molecules of cleaning solution **140** are introduced into a sealed chamber and are driven into the channels **120** by elevated pressures. Panel (4) relates to the fourth step described above, wherein decreased pressure removes remaining cellular debris, cleaning solution **140**, and other remaining adventitious materials from the channels **120**, and again primes the matrix for deep penetration, now possible due to the clarity of the channels **120**. In panels (5)-(7), a one cycle repeat according to the fourth step described

above is shown, whereby upon repressurizing with clean solvents, full interpenetration of the solvents into the implant matrix is achieved. In panel (6), reduced pressure draws the remaining solution from the implant, which may then be dried, as shown in panel (7), prior to further processing (e.g. machining according to step 5 above, further cleaning, according to step 6 above), and final packaging of the cleaned tissue. The cycle depicted in figure 1A may be repeated as many times as desired to ensure complete internal cleaning of the matrix interior. In figure 1B, a representation of the pressure and fluid oscillation throughout the various steps of the above described process is represented.

- 10 After being medically released, (i.e. passing a battery of risk factor and biochemical assays, including, for example, HIV-specific PCR, and the like), donor tissue is cleaned of any extraneous or adventitious tissue. The thus-cleaned tissue is loaded into a sealable reaction chamber. A preferably pre-programmed tissue cleaning process is then initiated comprising a plurality of wash steps. Deep tissue interpenetration by cleaning solutions is achieved by
- 15 oscillating the pressure in the chamber while adding and removing various cleaning solvents. Ultrasonic energy is applied at various stages of the cleaning process to accelerate solution penetration and removal of unwanted contaminants or endogenous substances, including blood, lipid, and non-structural or undesired proteins. In one preferred cleaning cycle according to this invention, steps (1-4) of the claimed process are carried out according to a
- 20 protocol similar to that defined in the following table to remove blood, fat, bacterial, viral, fungal or other contamination:

Table I:

Step	Pressure	Fluids*	Sonication	Duration (min)	Purpose
0	Atmospheric	None	Off	NA	Load tissue into chamber
1	Negative (60-100 torr)	None	Off	2	Prime tissue matrix, remove included air and loose debris
2	Negative (60-100 torr)	B,C,D, E, mixtures	On	1	De-gas cleaning fluids
3	Positive (5-8 atmospheres)	B,C,D, E, mixtures	On	1	Force fluids into tissue matrix
4	Negative/ Positive	B,C,D, E, mixtures	On	(1 x n )	Remove debris loosened by fluids, pressure oscillation and sonication

## \*Fluids:

- 5 B = Triton X-100/TNBP, a solvent/detergent to remove debris and kill viruses and bacteria;  
 C = 3% hydrogen peroxide, to remove cellular debris, inactivate viruses and bacteria;  
 D = mixture of B and C;  
 E = water-miscible alcohol, such as ethanol or isopropanol;  
 mixtures = B, C, D, E in any desirable proportions.

10

According to Table I, in step 0, under atmospheric pressure, and no fluid or sonication, a pressurizable chamber in which the process may be conducted, is loaded with metallic, synthetic or other man-made implant materials, autograft or allograft bone or soft tissue, xenograft bone or soft tissue, from an individual qualified donor. It will further be

15 understood that the treated implant may comprise a combination of tissue and synthetic materials, such as, for example, biopolysulphone and the like. Where the implant is a tissue, the tissue is preferably first cleaned of surface adventitious tissue, prior to initiating the steps shown in table I. In step 1, under negative pressure (vacuum), for a period of about two minutes, the matrix of the implant or implants is primed (i.e. see figure 1, step 1, to remove

20 trapped air, cellular and other loose debris by vacuum). In step 2, under negative pressure.

cleaning fluid is introduced with sonication, to aid in penetration of the fluid and to ensure gas is removed from the introduced fluid. In step 3, under positive pressure, and in the presence of an appropriate cleaning solvent and sonication, solvent is forced into the matrix of the implant. Thereafter follows a series of "n" cycles of positive and negative pressure in the presence of solvent and sonication, during which the matrix channels are backfilled and emptied of solution and debris. The number of times this step is cycled may be from once to about 150 times (i.e.  $n = 1-150$ ; preferably  $n$  is about 10-50 times).

After step 4 in Table I, the cleaning fluid is removed to waste under positive pressure, the tissue is dried under negative pressure, and is rinsed several times under oscillating positive and negative or elevated and decreased pressure using sterile water or physiological saline (e.g. phosphate buffered saline, PBS), with or without accompanying sonication. The number of rinse cycles may be from 1-150 times, and is preferably about 1-50 times. The rinse solution is drained under positive pressure, and the tissue is again dried under negative pressure.

After removal of the gross contamination according to the steps outlined above, the tissue in-process may be machined into dimensionally finished grafts if such processing has not previously been accomplished, (step 5 of the instant process, as defined above), and then loaded into a reaction chamber, same or different than that used to carry out the steps according to Table I. A deep-penetrating cleaning, passivation or sterilization cycle, preferably under programmable logic control, is then conducted according to a protocol similar to that defined in Table II (see step 6 defined above, which represent a repeat of steps 1-4 of Table I, optionally using different cleaning solvents; these steps are distinguished by indicating the steps as 0'-4'):

Table II:

Step	Pressure	Fluids*	Sonication	Duration (min)	Purpose
0'	Atmospheric	None	Off	NA	Load tissue into chamber
1'	Negative (60-100 torr)	None	Off	2	Prime tissue matrix, remove included air and loose debris
2'	Negative (60-100 torr)	F, G, H, I, J, mixtures	On	1	De-gas cleaning fluids
3'	Positive (8-10 atmospheres)	F, G, H, I, J, mixtures	On	1	Force fluids into tissue matrix
4'	Negative/ Positive	F, G, H, I, J, mixtures	On	(1 x n)	Remove debris loosened by fluids, pressure oscillation and sonication

\*Fluids:

F = 6M urea or other chaotropic agents, e.g. 4 M guanidine HCl, to reduce implant antigenicity;

G = 1% sodium hypochlorite, to inactivate viruses, bacteria, fungi or other residual contaminants;

H = 1N sodium hydroxide, to inactivate viruses and bacteria;

I = 6% hydrogen peroxide, as a sterilant;

J = hexane, ether, diethanolamine (DEA), toluene, xylene, butane, CO<sub>2</sub> (supercritical), isobutane, propane, acetone, isopropanol, methanol, ketones, ethers, aliphatic or aromatic hydrocarbons, HCl, gaseous HCl.

mixtures = F, G, H, I, J in any desirable proportions.

After step 4' in Table II, the cleaning fluid is preferably retained in a positively pressurized reaction chamber for an extended period to ensure complete killing of any residual contaminating pathogens or other organisms. A period of from one to sixty minutes, and preferably about ten minutes, is sufficient for this purpose. The cleaning fluid is then removed to waste under positive pressure, the tissue is dried under negative pressure, and is

rinsed several times under oscillating positive and negative pressure using sterile water or physiological saline (e.g. phosphate buffered saline, PBS, or the like), with or without accompanying sonication. The rinse solution is drained under positive pressure, and the implant is again dried under negative pressure.

5

Those skilled in the art will appreciate that the specifics of the process outlined according to Tables I and II above may be modified, without departing from the essence of the present invention. Essentially, other cleaning solvents or concentrations than those suggested herein may be used, the number of oscillations between elevated and reduced pressure, and the  
10 cycling times, pressurization and depressurization levels and periods may be altered, according to the requirements for a given tissue. However, the conditions specified in Tables I and II result in deeply penetrating cleaning, as evidenced by the ability to force dyes deep into tissue matrices, to remove dyes that have been allowed to soak deep into tissue matrices, and the ability to remove or kill endogenous or added biological contaminants, including a  
15 wide variety of bacteria, viruses and fungi. Tissues cleaned according to this procedure include, but are not limited to: cortical bone, cancellous bone, fascia, whole joints, tendons, ligaments, dura, pericardia, heart valves, veins, neural tissue, submucoal tissue, (e.g. intestinal tissue), and cartilage. Bone treated according to this method and subsequently tested for retained biomechanical strength and ability to induce new bone formation (osteoconduction  
20 and osteoinduction, collectively referred to as osteogenic activity) retains good biomechanical strength and is expected to retain osteogenic activity. Furthermore, bone treated according to one embodiment of this method and implanted as a xenograft was found to induce little or no adverse immunological reactivity, indicating reduction in antigenicity of the material. This is particularly true where urea or other chaotropic agents (e.g. guanidine hydrochloride), is used  
25 as one of the cleaning fluids or is included in a mixture of cleaning fluids.

The method disclosed herein will suggest to those skilled in the art a number of possible alternate methods to facilitate tissue pooling as disclosed herein and devices to achieve the programmed steps defined above. Thus, for example, in one embodiment according to this  
30 invention, a device such as that shown schematically in figure 2 may be employed for semi-manual implementation of the cyclic perfusion passivation process of this invention.

According to this embodiment of the invention, a chamber 200 comprising a lid 210 and a trough 220 is adapted for cyclic perfusion passivation of implants. A series of posts 230, onto which a series of bolts 240 may be tightened are provided for securing the lid 210 to the trough 220. A grating 250 is provided inside the chamber 200 for receiving implant material to be treated. Through the lid 210 is provided a series of access ports 260, 261, 262, 263. Access port 260 is a sterile water input line. Access port 261 is an input line for other fluids. Access port 262 is a vacuum line. Access port 263 is a line for pressure input. In addition, a port 264 is provided for insertion of a temperature probe. Port 265 is a port for supplying power to a sonicator built into the walls 225 of the chamber 200. Port 266 is a drain. Accordingly, a device such as that shown in figure 2 could be used carrying out the cyclic perfusion passivation process according to this invention.

With reference to figure 3, an automated or semi-automated apparatus 300 may be defined for carrying out the instant process. Per this disclosure, programmable logic controllers activate or deactivate valves or solenoids 301a-h at pre-determined times in the cleaning cycle. An implant is placed in a reaction chamber 310 which is sealed. An atmospheric vent 320 is provided to permit entrance and removal of filtered air, and a drain 321 is provided to remove waste or solvents. Cleaning fluids are introduced into reaction chamber 310 from a chemical mixing tank 330 which has a filtered vent to atmosphere 335, to avoid formation of a vacuum in the tank 330. Chemical feed lines 340 lead from fluid reservoirs 341 to the chemical mixing tank 330 via a common conduit 345. A programmably controlled pump 350 is operated to pump appropriately mixed fluids from the tank 330 into the reaction vessel 310. Vacuum or negative pressure is applied to the reaction vessel 310 by means of a vacuum receiver tank 360, in which a source of negative pressure is created by vacuum pump 365. The inclusion of a vacuum reservoir 360 is desirable so that essentially instantaneous vacuum of known dimensions may be applied to the reaction chamber 310, without the need for a vacuum pump such as 365 having to gradually develop the negative pressure. Vacuum receiver tank 360 may be evacuated by pump 365 while reaction tank 310 is under positive pressure. A source of sterile water, physiological saline, or like aqueous solution is provided in storage tank 370, which has a filtered vent 375 to prevent formation of a vacuum in tank 370. Pump 376 provides for rapid infusion of aqueous solution into chemical mixing tank

- 330 for introduction into the reaction chamber 310. Those skilled in the art will appreciate that the water from tank 370 may also be directly introduced into reaction tank 310, without having to first be introduced into chemical mixing tank 330. Positive pressure is stored in pressure tank 380 which is pressurized by a compressor of filtered gas, to retain sterility in the reaction tank 310. In practice, an appropriately programmed computer or programmable logic controllers permit venting of the reaction chamber 310, to permit loading of tissue. The chamber is then sealed, evacuated, pressurized, and fluid is introduced and removed, as outlined, for example, in Table I and Table II above, to complete the implant cleaning process. In addition, a source of filtered sterile steam 322 to rapidly sterilize the internal, filtered and sterile zone of the device is provided. It is also desirable to include a heat exchange means 323 to rapidly equilibrate the system temperature. Water cooled, air cooled, nitrogen cooled, water heated, thermocouple heated or like radiative means are all acceptable, depending on the internal temperatures desired.
- Manual or automated perfusion of cleaning and sterilizing fluids, as outlined above, results in reduction of the bioburden of implant material from individual donors, prior to pooling with implant materials from other donors for batch processing. Initial bioburden reduction may be achieved according to a protocol such as that outlined in Table I, to reduce the potential for contamination of an uncontaminated implant by contact with a contaminated implant.
- However, those skilled in the art will recognize that the penetrating passivation process of this invention is so efficient that for certain types of implants in which the initial prospect of encountering a contaminated implant is sufficiently low, it may be possible to simply batch process implant materials according to Table I and Table II, rather than first cleaning implants from an individual donor according to the Table I program, prior to combining such implant materials from different donors and processing the pooled implants according to the Table II program.

Where an initial bioburden reducing step for implant materials derived from individual donors is considered prudent, individual donor tissues are processed according to the Table I program, and are then quarantined until all quality control criteria are passed. Only the individual donor tissues that pass such quality control after initial bioburden reduction are

pooled for processing according to the Table II protocol. As an initial bioburden reduction program, a combination of TritonX-100 and TNBP may be used as a first solvent to remove debris and to inactivate bacteria and viruses. A second solvent may be a 3% hydrogen peroxide solution to remove cellular debris and to further reduce bioburden. A third solvent may be povidone iodine solution to yet further reduce bioburden. Finally, ascorbic acid solution may be employed to decolorize the implant or remove any residual iodine. These solutions may be employed in a different order, and indeed, different solutions may be used to similar effect. The particular solutions listed are preferred, however, due to their low toxicity, and our discovery that the defined combination of solutions results in efficient reduction in bioburden, implant cleaning, passivation and interpenetration. The solutions of Table I are typically employed in a cycle such as that shown in Table I, steps 0-4.

At this stage of the process, cleaned allograft or xenograft tissue from individual donors or previously pooled donors is optionally pooled and further cleaned as described below.

Alternatively, the tissue is first dimensioned by machining, trimming and the like, to achieve the final implant dimensions. The dimensioned tissue is further processed individually or is pooled with a batch of similarly or differently processed, dimensioned implants for further cleaning as described below. In addition, it will be appreciated from this disclosure that different tissues from the same or different donors may be combined prior to, during or after treatment according to the method of this invention in order to produce an individual composite product. Thus, for example, collagen gelatin or like material, such as that disclosed in WO98/40113 (hereby incorporated by reference) may be combined with bioactive ceramics, such a bioactive glass and the like, hydroxyl apatite or the like, bone chips or the like and then packed into an implant from yet another donor or the same donor, such as the device of US Patent No. 5,814,084 (hereby incorporated by reference). It will further be appreciated that the device as disclosed according to the 5,814,084 patent may be produced from an individual donor or a pool of donor tissues as treated according to the present invention. The final composite material would thus be derived from potentially multiple donor tissues, each of which may have been derived from multiple donors, and treated according to the method of this invention. For tracking purposes, while individual donors would have been tracked up to this stage, upon pooling, a batch number is defined for further

tracking, with records being maintained of all of the donors that have contributed to a given batch.

In Table II, a set of solutions is described for achieving penetrating sterilization of individual  
5 tissues or tissues pooled from different donors which have already been treated according to  
the program outlined in Table I. Thus, a first solution of 6% hydrogen peroxide, followed by  
a second solution of 1% sodium hypochlorite, followed by a solution of 1 N sodium  
hydroxide, may be used to achieve sterilization. A 70% solution of isopropanol may be used  
as a broad spectrum germicide. Thus, the solutions of Table I and Table II may be employed  
10 according to the program shown, or modified as needed. Those skilled in the art will  
appreciate that different penetrating sterilants may be employed or that mixtures of the  
described sterilants may be possible. In any event, at the conclusion of this stage of the  
process, the individual or pooled batch of implants has been thoroughly cleaned, passivated  
(if not sterilized), and interpenetrated by cleaning solutions. Reductions in enveloped virus,  
15 vegetative bacteria, and fungal contamination of up to twelve logs or higher and of non-  
enveloped viruses and spores of up to about five logs are achieved according to the process  
described herein. In addition, about a two to ten-fold reduction in endotoxin levels is  
achieved, along with significant elimination of blood, lipid, nucleic acid, and non-structural  
protein. Furthermore, this process retains the beneficial structural and other desirable  
20 biological properties of the implant material. Significant enhancements in production yields,  
through the ability to batch process implant from pooled donors, are also achieved.

Subsequent to penetrating passivation of the implant materials, the implant materials are  
placed in their final packing. Preferably, this is achieved in a sterile environment to avoid  
25 introduction of any adventitious bioburden. To ensure sterile packaging, with the final  
machined grafts in their final, unsealed packages, the implants are exposed to a vapor-phase  
hydrogen peroxide/peracetic acid or like vapor-phase sterilizing environment. The packages  
are then closed to ensure that no contamination may occur upon removal of the implants from  
the sterile field for storage or shipment to surgeons. The sealed packages may then,  
30 optionally, be subjected to levels of gamma or other types of irradiation known to not  
adversely affect tissue properties (e.g. below about 3.0 Mrad, or for short periods of time to

effect surface sterilization, and to ensure internal destruction of any residual large-genome organisms; however, such internal treatment is generally not required, deep sterilization having been achieved according to the cleaning protocol, or a variant thereof, as described herein). Other surface and redundant internal sterilization methods, including exposure to  
5 electron beams, exposure to ethylene oxide, and the like, may also be conducted at this stage, so long as toxicity or diminishment of desirable biological activities is not thereby effected.

As a further enhancement to the process defined herein is the ability to produce implant materials with perfusion of desirable bioactivities. Accordingly, in the final rinse steps after  
10 steps 0-4 or Table I or steps 0'-4' of Table II, a solution containing desired antibiotics, anti-inflammatory drugs or other biologically active agents may be employed to infuse antibiotic or other desired bioactive substances into the cleaned, passivated tissues. Alternatively or in addition, growth factors, such as bone morphogenetic proteins, cartilage derived growth factors, tissue growth factors, natural (autograft, allograft or xenograft) or recombinant, and  
15 the like known in the art may be perfused into the implant. In one preferred embodiment, in the absence of sonication during the perfusion step, a solution containing expressible nucleic acids in plasmid, viral or linear DNA or RNA vector form is infused into the implant. The nucleic acid preferably encodes an appropriate growth factor, antineoplastic agent, peptide or protein, depending on the nature of the tissue into which the nucleic acid is perfused. For  
20 example, where nucleic acid under the control of a CMV promoter or the like is infused into bone matrix, preferably one or more genes encoding bone morphogenetic proteins (BMP's) are encoded. Alternatively, where a cartilagenous tissue is infused, the nucleic acid may encode a cartilage derived morphogenic protein. Alternatively, or in addition, the nucleic acid may encode tissue growth factors (beta and the like), peptides (eg. P/5 and the like) or any  
25 other desirable gene product. The nucleic acid may be DNA, RNA or it may be combinations thereof, optionally including synthetic nucleotides or markers to track nucleic acid penetration and concentration. In addition, by finely grinding demineralized bone matrix (DBM) and forming a hydrated slurry or aqueous mixture thereof, implants may be perfused with the DBM which contains a complex mixture of growth factors. Alternatively, using the method  
30 of this invention, a bone implant may be partially demineralized to expose growth factors

prior to implantation. Similarly, bone marrow or bone marrow extracts may likewise be perfused into the matrix of an appropriate implant.

5 In a further embodiment of this invention, the cleaning process is applied to rid a tissue of a pathogenic organism or condition. This can be achieved, for example, by harvesting a diseased mandible or any other bone or tissue, ravaged by cancerous cell growth. The section of autograft is cleaned and passivated *ex vivo*, perfused with growth factors, nucleic acids encoding growth factors, antibiotics, antineoplastics, antiinflammatories analgesics or any after desired biologically active substance, and then re-implanted into the same or a different  
10 patient, to provide a non-pathogenic tissue.

As can be appreciated from the foregoing detailed disclosure, the process of the present invention may be carried out at any stage of implant production, and it does not require special preparations such as removal of cartilage, or potentially implant damaging steps such  
15 as drilling of holes. Furthermore, it will be appreciated from this disclosure that the method of this invention broadly discloses a process for tissue inventory production wherein, in a first phase, tissue from a plurality of donors is pooled and processed according to the method of this invention. The result is a stockpile of useable materials of fundamental units, available for further processing as needed. In a second phase, as the need arises, the fundamental tissue  
20 units available in inventory are further processed, if necessary, in order to produce the final product required for implantation. In this manner, this invention provides a significant and fundamental advance to the art whereby tremendous enhancements in efficiency are achieved, since a single processing episode is implemented to generate a large volume of tissue available for implantation or further processing. As compared to the existing situation in  
25 donor tissue processing, whereby for each donor and for each tissue, a separate processing episode may be required to derive a single product, following which all processing equipment and personnel are required to be exchanged to intake a new tissue from a new donor. Accordingly, the method of this invention lends itself to much enhanced quality control, inventory control and efficiency.

As an added, unexpected advantage of this invention, in one embodiment, the process efficiently removes, dilutes or denatures endogenous enzymes which otherwise might result in degradation or autolysis of bone matrix or tissue matrix. This is achieved by, for example, cyclically exposing the tissue to detergents, reducing agents (e.g. dithiothreitol, DTT, and the like known in the art for disruption of protein disulfide bonds), peroxide, isopropanol and the like as disclosed herein. As a result of the removal, dilution or destruction of the endogenous enzymatic activity, the need to freeze or freeze-dry the implant is reduced or eliminated, providing a significant advantage. It is a constant problem in the art to maintain implant tissues in a frozen state and it is slow and expensive to have to lyophilize (freeze-dry) tissue implants, including allograft, autograft or xenograft bone implants. By treating such tissues according to the present invention, and then storing the tissues in a sterile environment or packaging, the cost and time delays inherent in freezing and freeze-drying of tissues is eliminated.

As a further advantage of this invention, those skilled in the art will appreciate that the batch-to-batch variations that can occur when producing various tissues, either from the same donor, and in particular from different donors, may be substantially eliminated by pooling tissues according to the present methodology. Thus, in one specific example, demineralized bone matrix (DBM), produced either through an embodiment of the present invention or produced by a separate method, may be treated according to the present invention, and batches of DBM from different donors may then safely be pooled to produce pooled batches of DBM exhibiting consistent bone inducing properties for orthopedic, orthodontal or periodontal applications. Furthermore, those skilled in the art will appreciate that a further benefit of the present invention is that heretofore limited quantities of human tissue may be augmented by appropriately treating xenograft (animal) tissue to reduce its antigenicity, and then either using the thus treated xenograft alone or in combination with allograft, autograft or both.

It will further be appreciated from the present invention that desirable modifications to tissue properties may be achieved through implementation of various embodiments of this invention. Thus, for example, the instant invention includes the discovery that through

implementation of the instant methodology, bone matrix may be partially demineralized or completely demineralized, in a controlled fashion. Furthermore, the present invention has been found to be valuable in the partial demineralization of bone tissue using, for example, acetic acid or like organic acids, hydrochloric acid, or like inorganic acids, or chelating agents, such as theylenediamine-tetraacetic acid (EDTA), and the like. As a result, this methodology may be used to effectively alter the stress-fracture properties of the thus treated bone, which may then be stored frozen, freeze-dried or at room temperature, as disclosed herein above.

10 As a means of providing an overall concept of the flow of the method according to the present invention, the schematic provided according to figure 4 is described. In stage 1, donor materials are introduced into the donor tissue processing facility and are held in quarantine until the donor from which the tissue was derived is qualified. In stage 2, released donor materials are surface cleaned by debridement. In stage 3, surface cleaned tissue is machined  
15 to produce implants of the desired final dimensions, and are introduced into an automated cyclic perfusion passivation chamber according to the present invention. In stage 4, implants that have been passivated are introduced into their final packing containers and are terminally sterilized by gamma irradiation, vapor-phase exposure to decontaminants, and the like. Finally, in stage 5, the passivated and packaged grafts are stored and released after  
20 verification of the sterilization cycles.

In a further embodiment of this invention, a process layout similar to that shown schematically in figure 5 may be employed. According to this layout, a processing facility  
500 shows three parallel and identical tissue processing facilities A-C. Starting in  
25 debridement chambers 510A-C, tissue to be treated according to this invention is cleaned and debrided of gross, adventitious and unwanted tissues. The cleaned tissue is then introduced, via sealable port 515A-C into a reaction chamber 310A-C, to which are connected all of the process control and input/output devices shown in figure 3. Upon completion of a cleaning cycle such as that defined according to Table I, tissue is removed via sealable port 516A-C.  
30 The cleaned tissue is sorted and stored in quarantine freezers 520A-C, until quality control demonstrates that the tissue is fit for further processing. The released tissues are then

transferred to graft-production rooms 530A-C, where final implant dimensioning and machining is conducted. Following production of the finally dimensioned implants, the thus processed tissues are loaded into reaction chambers 310'A-C via sealable port 535. Not shown but connected to reaction chamber 310'A-C are all the process control and  
5 input/output devices shown in figure 3. Following further cleaning, such as that defined according to Table II, the deeply sterilized tissues are removed from sealable port 536A-C, and are placed in final packaging. Terminal sterilization is conducted at stations 540A-C, and the terminally sterilized tissues are sealed in the final packaging. The sealed packages of terminally sterilized tissues are quarantined in freezers 545 until final quality control testing  
10 permits tissue release to surgeons.

It will be appreciated that while the process layout provided in figure 5 is preferred, it is suggestive only, and the process according to the instant invention may be conducted in other layout formats. Further, it will be appreciated that according to the layout shown according to  
15 figure 5, it is desirable for the level of ambient particulates to be reduced as tissue is processed through the various stages shown. Thus, while it is adequate for the chamber 510 to be of class 100,000 (100,000 particles per billion), it is desirable for areas 520 and 530 to be class 10,000 or lower. The final packaging area 540 is preferably about a class 1000 area.

20 Having generally and in detail described this invention, including its best mode, the following specific examples are provided to further exemplify, but not to limit, the disclosed invention, the scope of which should be reviewed by reference to the claims appended hereto and the equivalents thereof.

## 25 6.0 EXAMPLES

### EXAMPLE 1:

#### SPECIFIC CLEANING PROTOCOL FOR BONE:

30 In one preferred embodiment of this invention, an intact or machined bone implant is cleaned by treatment sequentially with povidone-I, water, ascorbic acid, TNBP/hydrogen peroxide.

water, diethanolamine, water, 6 M urea, water. The sequence of sonication, and pressure fluctuations is conducted according to the sequence defined in Table I or Table II. It will be appreciated from this disclosure, however, that a wide variety of different cleaning solutions and combinations thereof may be employed according to the method of this invention. For example, the cleaning solutions may include: sterile water, Triton X-100, TNBP, 3% hydrogen peroxide, a water-miscible alcohol, saline solution, povidone iodine, ascorbic acid solution, aromatic or aliphatic hydrocarbons, ethers, ketones, amines, urea, guanidine hydrochloride, esters, glycoproteins, proteins, saccharides, enzymes such as proteases (trypsin, pepsin, subtilisin), lipases, saccharases, and the like, gaseous acids or peroxides, and mixtures thereof. The process is conducted at ambient temperatures, elevated temperatures (eighty degrees centigrade) or decreased temperatures. Thus, cleaning of implants in a liquid nitrogen phase (negative eighty degrees centigrade) is contemplated by this invention.

#### EXAMPLE 2:

##### 15 EFFECTIVENESS OF PROCESS FOR IMPLANT CLEANING:

Figure 6 is a photograph of a whole humerus after being treated according to the method of this invention; a coronal section through the head of the humerus reveals the cleanliness of the inner bone matrix.

#### EXAMPLE 3:

##### EFFECTIVENESS OF PROCESS FOR CLEANING OF HARD TISSUE AND SOFT TISSUE IMPLANTS:

25 Figure 7 is a photograph of an intact knee, including proximal tibia, distal femur and patella, along with articulating tendons and ligaments, before treatment according to the method of this invention.

Figure 8 is a photograph of the intact knee shown in figure 7, after treatment according to the method of this invention, showing cleanliness of the implant, and preservation of the articulating tendons and ligaments.

In light of these results, it will be apparent that implant materials and tissues that may be effectively cleaned according to this procedure include, but are not limited to metallic implants, synthetic implants, ceramic implants, allograft, autograft or xenograft tissues. Such tissues may be selected from tissues comprising: cortical bone, cancellous bone, fascia, whole joints, tendons, ligaments, dura, pericardia, heart valves, veins, neural tissue, submucoal tissue, (e.g. intestinal tissue), and cartilage. Essentially any implantable material having an internal matrix that is required to be cleaned may be treated to advantage according to the method of this invention.

10 EXAMPLE 4:

EFFECTIVENESS OF THE PROCESS OF THIS INVENTION FOR DEEP CLEANING OF IMPLANTS:

Figure 9 is a photograph of an anterior aspect of a coronal section through the proximal femur prior to treatment according to the method of this invention.

Figure 10 is a photograph of the posterior aspect of the coronal section through the proximal femur shown in figure 9, after treatment according to the method of this invention.

20 Figure 11 is a photograph of the sections shown in figures 9 and 10, side-by-side, demonstrating the effectiveness of the treatment according to this invention for removal of endogenous substances and deep, penetrating implant cleaning.

25

30

EXAMPLE 5:DEMONSTRATION OF THE ABILITY OF THE PROCESS OF THIS INVENTION TO  
ACHIEVE DEEP INTERPENETRATION OF CLEANING SUBSTANCES AND  
IMPREGNATION OF IMPLANTS WITH DESIRABLE BIOLOGICALLY ACTIVE  
5 SUBSTANCES:

Figure 12 is a photomicrograph of an osteon from cortical bone without fluoroisothiocyanate (FITC) fluorescent dye treatment (100X magnification).

- 10 Figure 13 is a photomicrograph of an osteon from cortical bone after inclusion of FITC in one of the cleaning solutions of this invention, demonstrating deep interpenetration of the dye into the smallest of bone interstices - bright green areas indicating structures containing FITC, including the large haversian canal (right margin) and smaller satellite lacunae (central area; 100X magnification).

15

- These photomicrographs demonstrate that the FITC dye is forced into the smallest implant interstices, thereby revealing the ability to achieve deep penetrating cleaning. In addition, these photomicrographs demonstrate that biologically active substances, such as antibiotics, antiviral compounds, anti-inflammatory compounds, growth factors, osteo-inductive  
20 substances (e.g. bone morphogenetic protein, cartilage derived morphogenetic protein, natural or recombinant, and the like), when included in solutions employed according to the method of this invention, may be effectively imbedded deeply into implant materials. Thus, biologically active substances for permeation into implants, according to the method of this invention are selected from the group consisting of bone morphogenetic protein, tissue  
25 growth factor beta or member of the tissue growth factor beta family of growth factors, cartilage derived morphogenetic proteins I or II or both, and any related cartilage derived growth factors, angiogenic factors, platelet derived growth factor. Any of the proteins selected for permeation into implants may be natural or recombinant proteins.

EXAMPLE 6PROCESS FOR PRODUCING REDUCED ANTIGENICITY BONE

A solution of 0.1 to 0.5N Acetic or other mild acid (EDTA, Citric, Formic, dilute HCl, H<sub>3</sub>PO<sub>4</sub> etc.) is contacted under cyclic elevated and reduced pressure for 20 minutes. This removes 2-3% of the calcium in the bone, making the modulus go down for increased strength (torsional and sheer) and exposes some of the collagen so growth factors can more easily attach. It also helps to remove some of the protein bound to the mineral. Finally, demineralization has been shown to reduce the immunogenicity of bone. The thus treated bone was then defatted with 99% isopropanol, hexane or the like in cyclic pressure treatment as previously described, followed by TNBP/Tritonix-100, UREA, GuHcl, or the like, followed by several rinse cycles and addition of growth factors, nucleic acids or the like. The thus treated implant is then directly implanted or is frozen or lyophilized for subsequent implantation.

15

Treatment of the graft at this or a different stage of the process with acetic or other acid (acetic acid, hydrochloric acid, hydrofluoric acid, phosphoric acid, citric acid, formic acid, butyric acid, or mixtures thereof), is useful to produce a slightly demineralized bone graft of reduced antigenicity, with concomitant effects on the graft strength, growth factor binding capacity, resorbability, removal of acid soluble proteins and loosely associated collagens, and further reductions in antigenicity. We have discovered that reduction in the mineral content of between about 0 to about 25%, or between about 1 to about 10% or even as little as 1% to 5% as compared to the normal bone mineral content confers significant advantages on the reduced antigenicity bone composition. The guiding principle in the level of demineralization that should be conducted is to remove as much mineral as possible, without at the same time reducing the compressive strength of the bone. In order to achieve uniform, limited demineralization, the bone is preferably contacted for about thirty minutes with acid, e.g. 1% acetic acid, with the acid being introduced into an evacuated chamber containing the bone, such that uniform acid penetration occurs. If inorganic acids are used, e.g. HCl, the acid strength or period of acid contact should be reduced, to avoid complete demineralization of the bone. We have found that limited removal of even as little as 1-2% of the normal bone mineral content results in greater

predictability (reduced scatter in shear stress measurements) in the strength of bone grafts thus treated. Additional benefits of this treatment include dissolution of acid soluble proteins, efficient removal of SDS or other ionic solvents or contaminants, enhanced binding of growth factors, reduced time to remodel implanted bone, and further reduction in antigenicity.

5

#### EXAMPLE 7

#### ENHANCED STERILIZATION UPON IMPLEMENTATION OF THE METHOD OF THIS INVENTION

- 10 An essential first step in developing allograft tissues that are able to prevent infection by delivering a prophylactic dose of antibiotic is the minimization of bioburden contained on the graft. Factors that are able to enhance perfusion of the tissue are also beneficial in the drug loading phase of production. These steps, however, cannot be implemented without investigation into their effects on the strength of the graft. The following data addresses the issues of
- 15 sterilization, drug perfusion, the biomechanical effects of processing, and provides data regarding drug release profiles. Together, these studies demonstrate the feasibility of the process of this invention.

#### Calculation of the D-value for 6% hydrogen peroxide with ultrasonic energy

20

Most sterilization processes are detrimental to the structural and/or biological properties of allograft bone (Rasmussen TJ, Feder SM, Butler DL, Noyes FR. The effects of 4Mrad of gamma irradiation on the initial mechanical properties of bone-patellar tendon-bone grafts.

*Journal of Arthroscopic and Related Surgery*. 1994;10:188-197; Thoren K, Aspenberg P.

- 25 Ethylene oxide sterilization impairs allograft incorporation in a conduction chamber. *Clinical Orthopaedics and Related Research*. 1995;318:259-264; USFDA. Required Biocompatibility Training and Toxicology Profiles for Evaluation of Medical Devices. Rockville, MD: Department of Health and Human Services, Center for Biologics Evaluation and Research; 1995). Therefore, a sterilization process with minimal effect on these properties would be
- 30 beneficial in the production of drug loaded allografts. It has been suggested that ultrasonic energy enhances the bacteriacidal and sporicidal effects of hydrogen peroxide (Block S.

Disinfection, Sterilization and Preservation. 4th ed. New York: Lea & Feiberger; 1991). In this study, a reduction in the D-value for the *Bacillus sterothermophilus* ( $10^6$ ) spore was calculated for samples treated with 6%  $H_2O_2$  in the presence and absence of ultrasonic energy. This spore was chosen due to its well characterized and accepted resistance to peroxide sterilization. Samples were treated with 2 ml of 6%  $H_2O_2$  at 45°C over a given range of time and the reaction was stopped with the addition of sterile water and transferred to trypticase soy broth for culture at 56°C. All samples were preformed in triplicate.

Treatment	Treatment Time (min)																								Aprox. D- value			
	0			5			10			15			20			30			40			50				60		
Sonication	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<1.66	
No sonication	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	> 10

**Table III.** Comparison of spore inactivation with 6% hydrogen peroxide in the presence and absence of ultrasonic energy. Positive (+) results were identified by turbidity of the media and confirmed by subculturing the broth to solid media. Negative (-) results were determined by the media retaining clarity over the seven days of incubation.

The D-value obtained for the samples run in the presence of ultrasonic energy was 0.83 - 1.66 minutes (Table III). This compared favorably to the D-value obtained for the samples run in the absence of ultrasonic energy (>10 min). This reduction in the time required for the inactivation of spores allows for a practical method of sterilizing allografts without adversely effecting their desired attributes.

#### Effects of residual lipids on the antimicrobial activity of hydrogen peroxide

This study examined the potential for residual lipids carried on human allograft tissue to reduce the effectiveness of hydrogen peroxide at inactivating *Bacillus sterothermophilus* spores. Whole femora and tibiae were surgically removed from human cadaveric bone donors and debrided of extraneous soft tissue. The bone tissue was then ground yielding a fine bone slurry with the consistency an oily paste. A section of this bone paste was removed and thoroughly cleaned of

residual fat content using warm (45°C) acetone. The cleaned bone slurry was mixed with the untreated bone paste in various weights to yield samples containing 0, 10, 30, and 60% residual fat. All samples were verified using an exhaustive liquid extraction (hexane) with gravimetric analysis. One gram of each sample was added to test tubes containing a  $10^6$  inoculum of spores and was treated with 2 ml of 6% hydrogen peroxide (40°C) in the presence of ultrasonic energy (45Khz) for multiple time points. Each time point was run in triplicate. The reaction was stopped for a given time point by the addition of 20 ml of sterile water and the inoculum was transferred to trypticase soy broth for a seven day incubation at 56°C. Growth was determined by the presence of turbidity. Controls included, sterile water (negative control), inoculated water control (positive control), and  $H_2O_2$  without bone tissue.

Treatment	Treatment Time (min)																								Aprox. D-value		
	0			5			10			15			20			30			40			50			60		
Neg Control	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	NA
Pos Control	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	> 10
No bone	+	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1.66
0% fat	+	+	+	+	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2.5
10% fat	+	+	+	+	+	+	+	+	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.33
30% fat	+	+	+	+	+	+	+	+	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.33
60% fat	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	-	-	-	-	-	-	-	-	6.66

**Table IV.** Approximate D-values for *B. sterothermophilus* as a function of residual fat content remaining in a homogenized bone slurry, when sterilized in a 6% hydrogen peroxide solution at 42°C in the presence of ultrasonic energy. Positive (+) results were identified by turbidity of the media and confirmed by subculturing the broth to solid media. Negative (-) results were determined by the media retaining clarity over the seven days of incubation.

The results of the study indicate that lipids prolong the contact time required for the complete inactivation of *B. sterothermophilus* spores (Table IV). The data generated from this study demonstrates that removing endogenous lipids from cortical bone increases sterilization efficiency. In addition, by lowering the contact time required for sterilization, the potential adverse effects of the sterilant (reduction in tissue strength) are minimized.

A model for demonstrating sterilization efficacy in human cortical bone

Definitively demonstrating the efficacy of a liquid sterilization process for human cortical bone has historically been difficult. In this experiment the use of a machined segment of human cortical bone carrying a *B. sterothrophilus* ( $10^6$ ) biological indicator was evaluated for its potential uses to support claims of allograft sterility (Fig. 14). The device was prepared by cutting a cortical segment from the anterior ridge of the tibia in a young male cadaveric bone donor. This segment represents the thickest portion of cortical bone encountered in the body and is thus the most difficult to penetrate and sterilize. A cylindrical hole was machined into the end of the bone, longitudinal to the axis of the bone. A second segment of cortical bone was machined into a cylindrical pin, slightly oversized as compared with the diameter of the hole. A partial slit was cut into the pin, allowing a biological indicator to be placed therein. The pin was then forced under compression into the machined hole and exposed to the sterilization process. A control was also run using only sterile water to evaluate whether the spores appreciably were being washed off the strip. In addition, a tracing dye was used to evaluate the path of the liquid through the device.

The results from the controls indicate that the extent of washout that occurred was minimal and did not significantly affect the introduced bioburden. The samples exposed to the sterilization process did not demonstrate growth after incubation for seven days in TSB indicating process efficacy. In addition, the path taken by the liquid, as evaluated by the tracing dye was uniform and did not preferentially infiltrate the space between the hole and the pin.

Effects of preservation and sterilization treatment on allograft biomechanics

The purpose of this study was to identify the effects of preservation and sterilization processes on the strength of cortical bone. This work is essential in determining what treatments are acceptable for the graft to be exposed to during the processing and drug loading steps of production. Treatments that significantly reduce the strength must be avoided in the graft preparation/drug loading process.

Femora and tibiae were isolated from 18 different human cadaveric donors and machined with a lathe into 203 pins that were 4.0mm in diameter and 10mm in length. The pins were then

exposed to treatment that may be used in the graft preparation or drug loading process. Following treatment the ultimate failure load under axial compression was determined. Axial compression testing was adapted from ASTM D695-91 and performed on an MTS 858 (Eden Prairie, MN) servohydraulic mechanical test apparatus (American Society for Testing and Materials. ASTM D 695-91: Standard Test Method for Compressive Properties of Rigid Plastics. Philadelphia, PA: ASTM; 1991).

The results demonstrate that pressure assisted hydrogen peroxide perfusion did not reduce the compressive strength of the cortical bone pins (Fig. 15), which shows treatment groups and results of ultimate strength during axial compression testing: Control - a group consisting of no preservation or sterilization treatments was included; Lyophilization - freeze drying to reduced the residual moisture content of the graft to below 2%; Gamma irradiation - a sterilizing dose of 3.5 Mrad; PAHP - Pressure assisted hydrogen peroxide treatment employed exposing the tissue to a 6% solution of hydrogen peroxide at 40°C for 30 min under oscillating pressure and ultrasonic energy. As can be seen, gamma irradiation significantly reduced the strength of the tissue and therefore an alternative method should be sought for terminal sterilization of the graft. Lyophilization, contrary to expectation, significantly increased the axial strength of the tissue. This is a promising result as lyophilization is hypothesized to be a critical component to maximize the amount of drug that can be loaded into bone.

#### Effects of atmospheric pressure differentials on cortical bone perfusion

Complete penetration of the internal matrix of cortical bone is necessary for homogeneous drug loading. This study examined the influence of both negative and positive pressure on the penetration of various solutions into cortical bone. Cortical bone cylinders were prepared as described above. Each cylinder was then dried in a vacuum oven for 24 h at 60°C. The specimens were weighed prior to the introduction of water, and at regular intervals throughout the run, in order to determine their percent rehydration. Reconstitution conditions were (1) vacuum for 1 min; (2) positive pressure for 1 min; (3) negative pressure for 30 sec followed by positive pressure for 30 sec; (4) reconstitution under normal atmospheric pressure.

The initial (2.5 min) time point showed a significant increase in rehydration for both the positive and negative pressure treatments as compared with standard atmospheric pressure (Fig. 16, Left Panel – The rehydration of cortical bone under different atmospheric pressures. Positive - 100 PSI, Negative - <25 inHg, Neg/Pos - negative pressure followed by positive pressure; Right Panel - Enlarged view of the earliest time points). In addition, the negative to positive treatment showed greatest increase in rehydration and was significant to all other treatments at this timepoint. This data demonstrates the effectiveness of differential pressure to induce tissue matrix penetration.

#### 10 Release Profiles of Solutions from Human Cortical Bone

This study examined the release rates of compounds of various molecular weights from standardized cortical bone segments. It was hypothesized that the release profile of a solution from cortical bone would follow a bi-exponential curve relating to the microarchitectural arrangement of the matrix (Gibaldi M, Perrier D, Pharmacokinetics, Marcel Decker, New York, New York, 1982). The objective was to provide preliminary *in vitro* data of how cortical bone behaves as a release matrix. Since several potential drugs of interest are large proteins, the effects of a high molecular weight protein on the release profile was included (Gombotz WR, Pankey SC, Bouchard LS, Ranchalis J, Puolakkainen P, Controlled release of TGF-beta 1 from a biodegradable matrix for bone regeneration. *J Biomater Sci Polym Ed* 1993;5(1-2):49-63; Guicheux J, Grimandi G, Trecant M, Faivre A, Takahashi S, Daculsi G, Apatite as a carrier for growth hormone: in vitro characterization of loading and release. *J Biomed Mater Res* 1997 Feb;34(2):165-70).

Cortical bone segments were machined from diaphyseal sections of human cadaveric femora and tibiae. The bone segments were then cleaned and impregnated with compounds of various molecular weights. The samples were then placed in baths that maintained sink conditions and the release of drug over time was measured. In addition, the pattern of drug remaining in the matrix was examined histologically.

30 Four compounds of varying molecular weight were studied. 1) FITC (MW = 389 D ) at a concentration of 0.05 M in Tris buffered saline with a pH of 8-8.5 2) FITC-dextran complex

(MW = 10 kD) at a concentration of 0.05 M in Tris buffered saline with a pH of 8-8.5 3) FITC-dextran complex (MW = 20 kD) at a concentration of 0.05 M in Tris buffered saline with a pH of 8-8.5 4) bovine hemoglobin, Hb, (MW = 68 kD) in saline at a concentration of 0.025 g/mL.

5 The amount of each model compound loaded was determined by the calculated mass gain observed in each cylinder. The appearance of the compounds in the surrounding medium was subtracted from the loaded amount allowing for a concentration vs. time profile to be plotted that gave the % remaining inside the matrix on the y-axis. (Figure 17)

10 The results of the uncomplexed FITC impregnated bone using this preparation support the proposed model, however, there were significant limitations to this study. Only the uncomplexed FITC released rapidly enough from the matrix to gather meaningful data. The hemoglobin liberated from the bone could not be accurately assessed due to bacterial degradation (hemoglobin is a potential nutrient source for most bacteria). The FITC, also spontaneously degraded, making prolonged analysis difficult. Potential remedies for future study include closed  
15 systems forbidding the introduction of bacteria, the use of antibacterial preservatives, and the use of compounds more resistant to spontaneous degradation.

7.0. What is Claimed Is:

- 1 1. A process for tissue production comprising pooling of tissue, other than blood tissue,  
2 from a plurality of donors, and processing the thus pooled tissue to reduce or eliminate  
3 pathogenic or potentially pathogenic organisms.
- 1 2. The process according to claim 1 comprising further processing the pooled tissue in  
2 order to produce an implant for implantation into a recipient in need thereof.
- 1 3. An implant cleaning, perfusion and passivation process which comprises cyclic  
2 exposure of said implant to increased and decreased positive or negative pressures, or  
3 both.
- 1 4. The process according to claim 3 wherein said cyclic exposure of said implant to  
2 increased and decreased pressures occurs in the presence of a cleaning solution.
- 1 5. The process according to claim 4 wherein said process occurs, at least in part, with  
2 concurrent exposure of said implant to sonication.
- 1 6. The process according to claim 4 wherein said cycling between increased and  
2 decreased pressures occurs rapidly according to a defined program.
- 1 7. The process according to claim 6 wherein said implant is selected from the group  
2 consisting of porous metallic, ceramic or synthetic materials, or allograft, autograft or  
3 xenograft tissue selected from: cortical bone, cancellous bone, fascia, whole joints,  
4 tendons, ligaments, dura, pericardium, heart valves, veins, neural tissue, submucosal  
5 tissue, and cartilage.
- 1 8. The process according to claim 7 wherein said cycling of increased and decreased  
2 pressures is achieved through an oscillation of pressure in a chamber containing said  
3 implant in the presence of a cleaning solution.

- 1 9. The process according to claim 8 comprising:  
2 a. rapidly evacuating said chamber containing said implant;  
3 b. rapidly backfilling said chamber with a cleaning solution or a mixture of  
4 cleaning solutions;  
5 c. pressurizing said chamber; and  
6 d. rapidly cycling between steps (a) and (c), for between about 1-150 cycles,  
7 maintaining a temperature of between about 35-40 degrees centigrade.  
8 with optional application of ultrasonic energy.
- 1 10. The process according to claim 9, further comprising the step of:  
2 e. machining said implant to final dimensions if not previously so machined.
- 1 11. The process according to claim 10, further comprising the step of:  
2 f. conducting steps (a)-(d) using the same or a different cleaning solutions.
- 1 12. The process according to claim 11, wherein step (f) is conducted under elevated or  
2 reduced temperatures.
- 1 13. The process according to claim 12 further comprising placing said implant into a  
2 sterile, sealable package, and performing a surface decontamination step prior to or  
3 after sealing said package.
- 1 14. The process according to claim 9 wherein said implant is a tissue derived from a  
2 single donor.
- 1 15. The process according to claim 9 wherein said implant is a tissue derived from a pool  
2 of donor tissues.
- 1 16. The process according to claim 9 wherein said cleaning solution is selected from the  
2 group consisting of: sterile water, Triton X-100, TNBP, 3% hydrogen peroxide, a  
3 water-miscible alcohol, saline solution povidone iodine, ascorbic acid solution,

4 aromatic or aliphatic hydrocarbons, ethers, ketones, amines, urea, guanidine  
5 hydrochloride, esters, glycoproteins, proteins, saccharides, enzymes, gaseous acids or  
6 peroxides, and mixtures thereof.

1 17. The process according to claim 14 wherein said tissue is pooled with similarly treated  
2 tissue from at least one other donor, and is further cleaned by conducting steps (a)-(d)  
3 using the same or different cleaning solutions.

1 18. The process according to claim 17 wherein said cleaning solution is selected from the  
2 group consisting of 6% hydrogen peroxide, 1% sodium hypochlorite, 6M urea, 4M  
3 guanidine hydrochloride, 1 N sodium hydroxide, isopropanol, water, saline and  
4 mixtures thereof.

1 19. The process according to claim 18 wherein said process is conducted at a temperature  
2 between about thirty-seven (37) degrees centigrade and about eighty (80) degrees  
3 centigrade.

1 20. The process according to claim 19 wherein said process is conducted at about 50-60  
2 degrees centigrade.

1 21. The process according to claim 15 wherein said tissue is pooled with similarly treated  
2 tissue from at least one other donor, and is cleaned by conducting steps (a)-(d) using  
3 the same or different cleaning solutions.

1 22. The process according to claim 21 wherein said cleaning solution is selected from the  
2 group consisting of 6% hydrogen peroxide, 1% sodium hypochlorite, 6M urea, 4 M  
3 guanidine hydrochloride, 1 N sodium hydroxide, isopropanol, water, saline and  
4 mixtures thereof.

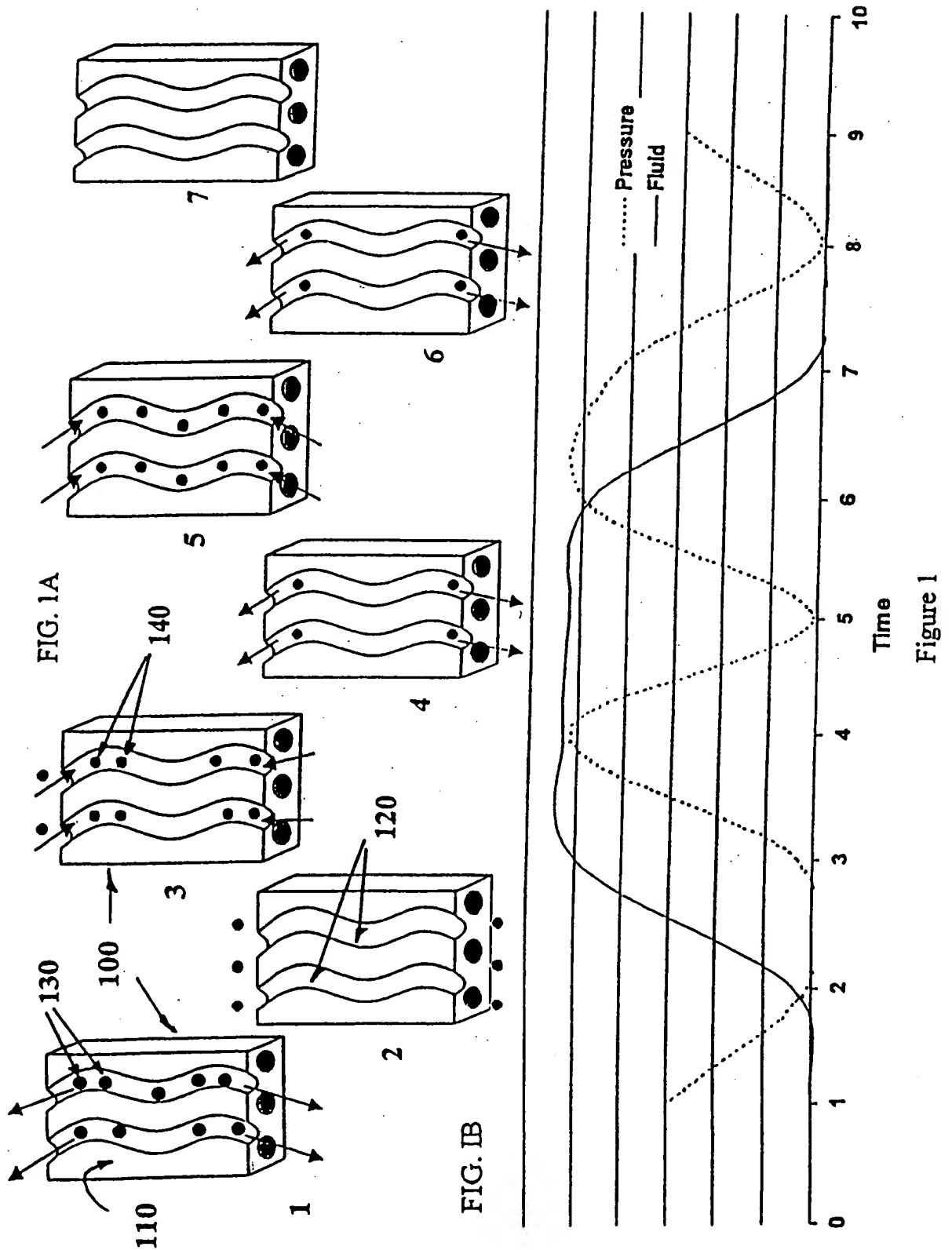
- 1 23. The process according to claim 22 wherein said process is conducted at a temperature  
2 between about thirty-seven (37) degrees centigrade and about eighty (80) degrees  
3 centigrade.
- 1 24. The process according to claim 23 wherein said process is conducted at about 50-60  
2 degrees centigrade.
- 1 25. The process according to claim 1 wherein the thus treated implant is packaged in a  
2 sterile environment upon performing a surface or terminal decontamination step,  
3 preferably with the implant in its final packaging.
- 1 26. The process according to claim 3 wherein the thus treated implant is packaged in a  
2 sterile environment upon performing a surface or terminal decontamination step,  
3 preferably with the implant in its final packaging.
- 1 27. The process according to claim 26 wherein said surface or terminal decontamination  
2 step comprises contacting the implant with vapor-phase H<sub>2</sub>O<sub>2</sub>, peracetic acid,  
3 exposure to gamma irradiation, electron beam irradiation, exposure to ethylene oxide,  
4 or a mixture of these.
- 1 28. The process according to claim 3 wherein the cycling of pressures is conducted at  
2 pressures above one atmosphere, below one atmosphere, or both.
- 1 29. The process according to claim 28 wherein vacuum pressures of between about 60 to  
2 100 torr and the vapor pressure of the solutions in contact with the implant and  
3 backfill pressures of between about 6-10 atmospheres are employed, and wherein  
4 concurrent sonication occurs throughout or at specific stages in said cycling of  
5 pressures.
- 1 30. The process according to claim 3 wherein the implant is perfused or coated with a  
2 bioactive substance.

- 1 31. The process according to claim 30 wherein said bioactive substance is a drug or a  
2 growth factor.
- 1 32. The process according to claim 31 wherein said growth factor is selected from the  
2 group consisting of a bone morphogenetic protein, tissue growth factor beta or  
3 member of the tissue growth factor beta family of growth factors, cartilage derived  
4 morphogenetic proteins I or II or both, and any related cartilage derived growth  
5 factors, angiogenic factors, and platelet derived growth factor, or nucleic acid actively  
6 encoding growth factors, finely ground hydrated DBM, bone marrow or bone marrow  
7 extract, or mixtures thereof.
- 1 33. The process according to claim 3 which results in any one or all of:  
2 (a) between about a one (1) to twelve (12) log reduction in bacterial contamination;  
3 (b) between about a one (1) to fifteen (15) log reduction in enveloped virus contamination;  
4 (c) up to about a five (5) log reduction in non-enveloped virus contamination;  
5 (d) between about a two (2) to ten (10) fold reduction in endotoxin;  
6 (e) maintenance of implant or graft biologic and biomechanical properties;  
7 (f) absence of tissue toxicity due to cleaning solutions used; and  
8 (g) reduced implant antigenicity.
- 1 34. An implant treated according to the process of claim 1.
- 1 35. An implant treated according to the process of claim 3.
- 1 36. The implant of claim 35 wherein said implant is composed of a porous metal,  
2 ceramic, synthetic polymer, allograft, autograft or xenograft.
- 1 37. The implant according to claim 34 which is composed of bone and which, as a result  
2 of being treated by said process of claim 1, has reduced antigenicity.

- 1 38. The implant according to claim 34 stored at ambient temperature, lyophilized or  
2 frozen.
- 1 39. An apparatus for conducting the process according to claim 3 comprising: a  
2 programmable logic controller to activate or deactivate valves or solenoids 301a-h at  
3 pre-determined times in the cleaning cycle; a sealable reaction chamber 310 into  
4 which a tissue to be cleaned is placed; a chemical mixing tank 330 from which  
5 cleaning fluids are introduced into said sealable reaction chamber 310; a vacuum  
6 receiver tank 360, linkable to said reaction chamber 310 so that essentially  
7 instantaneous vacuum of known dimensions may be applied to the reaction chamber  
8 310, without the need for a vacuum pump to gradually develop negative pressure in  
9 said reaction chamber 310; a source of sterile water, physiological saline, or like  
10 aqueous solution; a pressure tank 380 which is pressurized by a compressor of filtered  
11 gas, to retain sterility in the reaction tank 310.
- 1 40. A process facility for conducting the process according to claim 3, comprising at least  
2 one tissue debridement chamber 510, wherein tissue to be cleaned is debrided of  
3 gross, adventitious and unwanted tissues; at least one sealable port 515 into a reaction  
4 chamber 310 for cyclic pressurization and depressurization of said tissue in the  
5 presence of at least one cleaning solvent; at least one graft-production room 530,  
6 wherein final implant dimensioning and machining is conducted; at least one reaction  
7 chamber 310' into which dimensioned implant is inserted via at least one sealable port  
8 535 for cyclic pressurization and depressurization of said dimensioned implant in the  
9 presence of at least one cleaning solution; at least one sealable port 536 for removal of  
10 cleaned implant; and at least one terminal sterilization and packaging station 540 for  
11 sterile packaging of cleaned implant.
- 1 41. An implant for insertion into a patient comprising biologically active substances,  
2 selected from nucleic acids, proteins, peptides, antineoplastic compounds,  
3 antiinflammatory compounds, and antibiotic compounds, which are deeply  
4 interpenetrated into the matrix of said implant.

- 1 42. A method for treating diseased tissue which comprises harvesting said tissue or a  
2 portion thereof, cyclically exposing said tissue *ex vivo* to elevated and reduced  
3 pressures, optionally in the presence of cleaning solutions and optionally in the  
4 presence of sonic energy, optionally perfusing said tissue with biologically active  
5 substances, and reimplanting the thus-treated tissue.
- 1 43. A method for making an implant which comprises combining tissue or tissue and  
2 synthetic material treated according to the method of claim 1 to form a composite  
3 implant.
- 1 44. A method for making an implant which comprises combining tissue or tissue and  
2 synthetic material treated according to the method of claim 3 to form a composite  
3 implant.
- 1 45. A method for preparing a tissue for implantation into a recipient in need thereof which  
2 comprises treating the tissue so as to reduce, eliminate or dilute endogenous enzymes  
3 present in said tissue such that the thus treated tissue may be stored in a sterile  
4 container without the need for freeze-drying or freezing of the thus treated tissue.
- 1 46. The method according to claim 3 wherein said tissue is bone which comprises  
2 treatment of the bone with acid to partially demineralize the bone.
- 1 47. The method of claim 3 which comprises removing endogenous lipids from a bone  
2 tissue.
- 1 48. The method of claim 47 which further comprises lyophilization of the thus treated  
2 bone tissue.
- 1 49. The method according to claim 48 which further comprises reconstituting the  
2 lyophilized bone in a solution containing a biologically active factor the delivery of  
3 which is desired upon implantation of the reconstituted bone into a recipient in need  
4 thereof.

- 1 50. The method according to claim 3 wherein said implant is bone comprising contacting  
2 said bone with acetic acid, hydrochloric acid, hydrofluoric acid, phosphoric acid, citric  
3 acid, formic acid, butyric acid, or mixtures thereof, such that said bone is  
4 demineralized to an extent between about 0 to 25% of the normal bone mineral  
5 content, and is optionally pooled, before, during or after said contacting, with  
6 similarly treated bone tissue from the same or a different donor or species.
- 1 51. The method according to claim 50 wherein said bone is demineralized to an extent  
2 between about 1 to 10% of the normal bone mineral content.
- 1 52. The method according to claim 51 wherein said bone is demineralized to an extent  
2 between about 1 to about 5% of the normal bone mineral content.
- 1 53. An implant produced according to the method of claim 50.
- 1 54. The process according to claim 1 wherein said tissue is DBM.
- 1 55. A composition comprising a pool of DBM produced according to the process of claim  
2 54.
- 1 56. The process according to claim 1 wherein said tissue comprises autograft tissue,  
2 allograft tissue, xenograft tissue or combinations thereof.
- 1 57. An implant produced according to the process of claim 56.



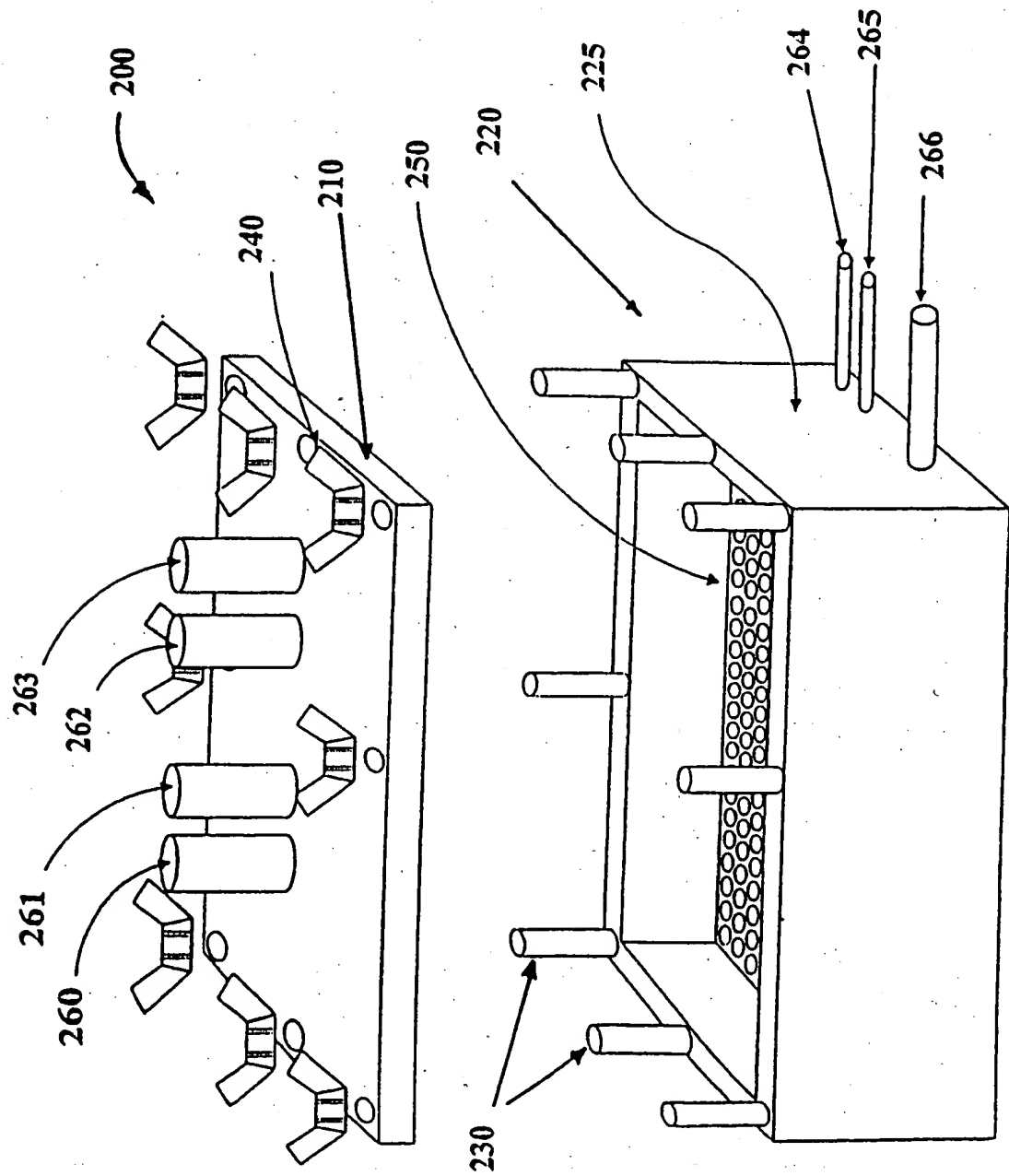


Figure 2

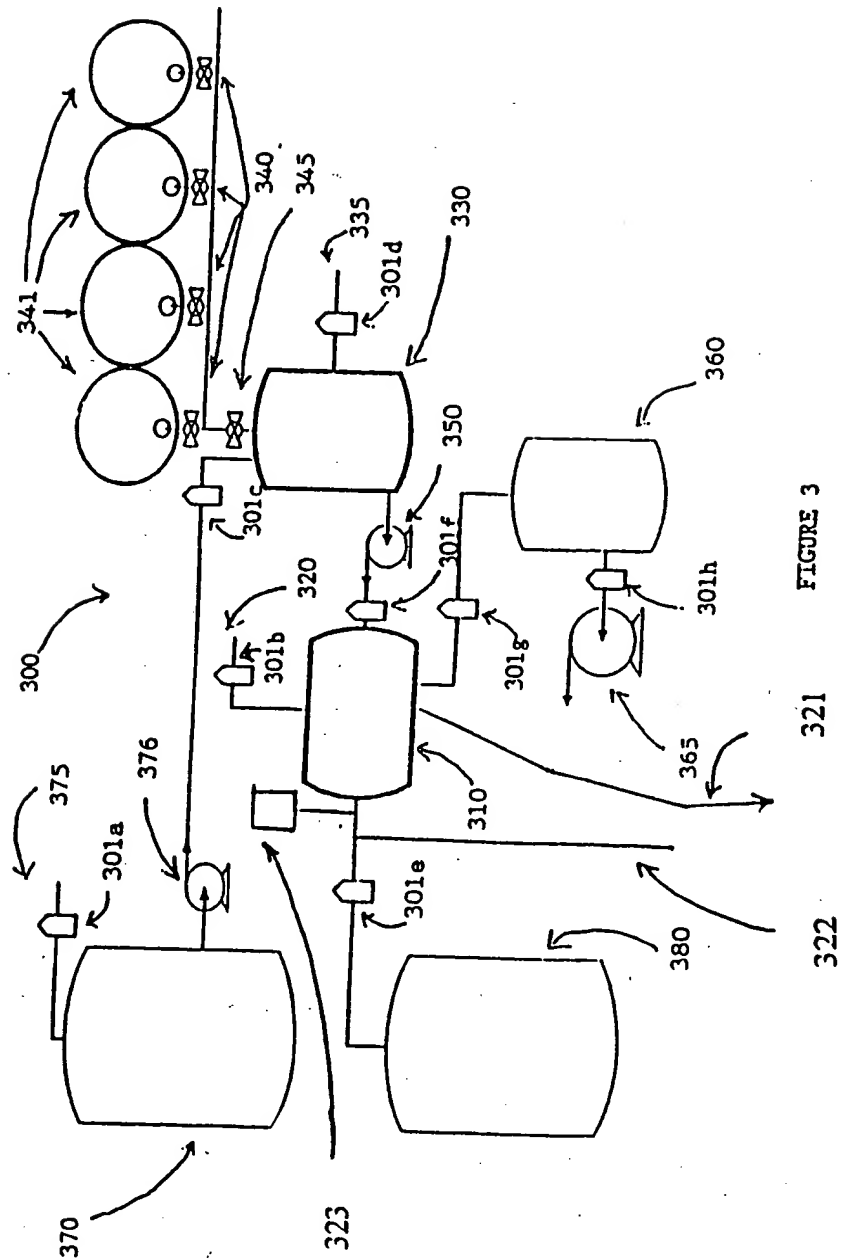


FIGURE 3

321

322

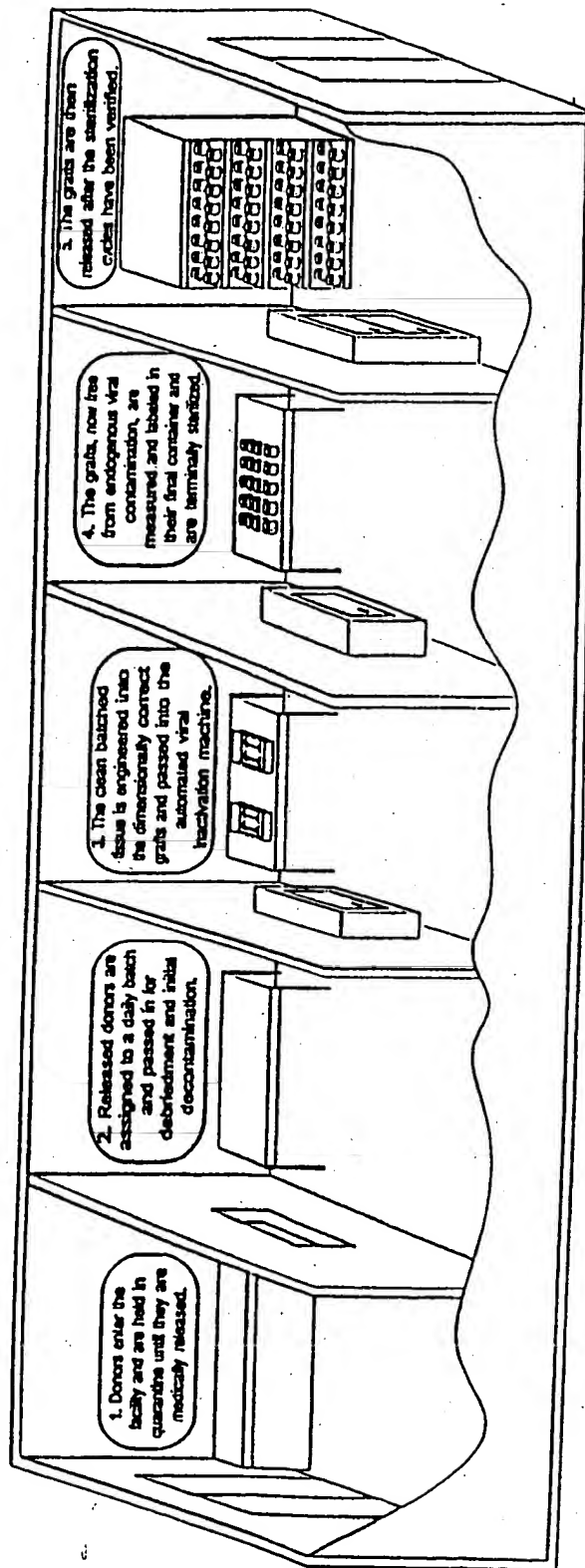


Figure 4

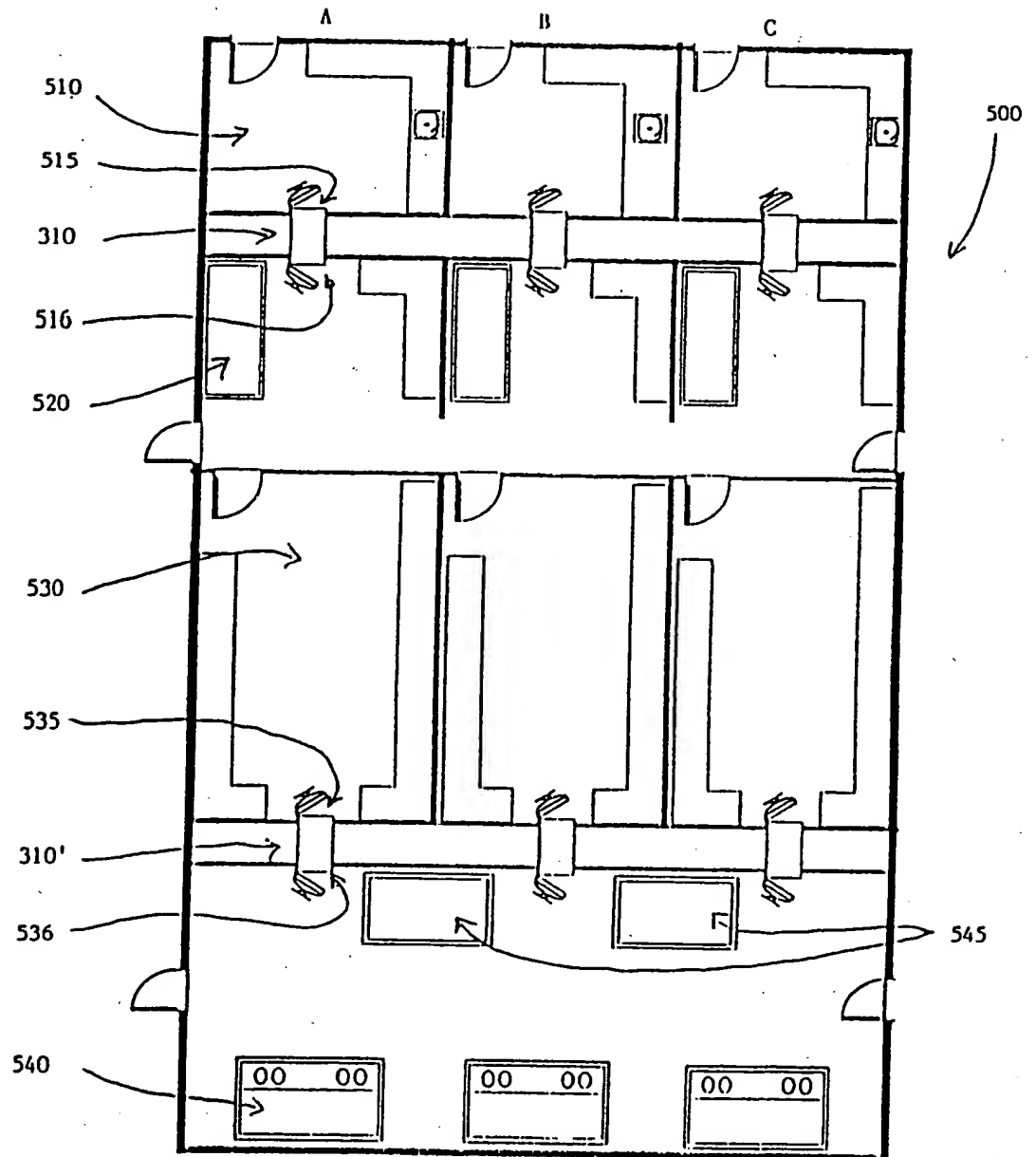


FIGURE 5

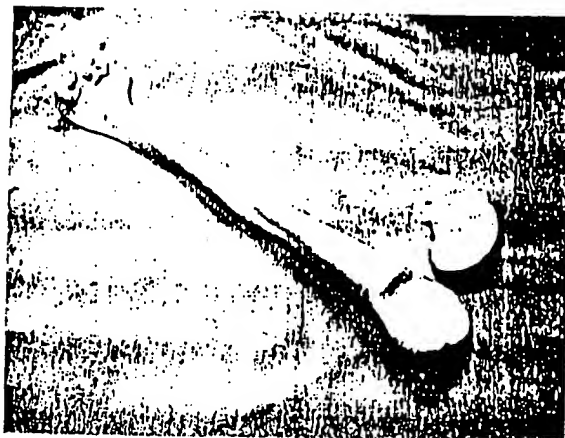


FIGURE 6

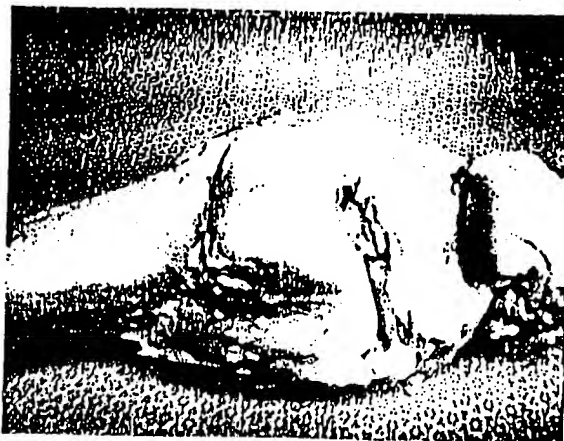


FIGURE 7

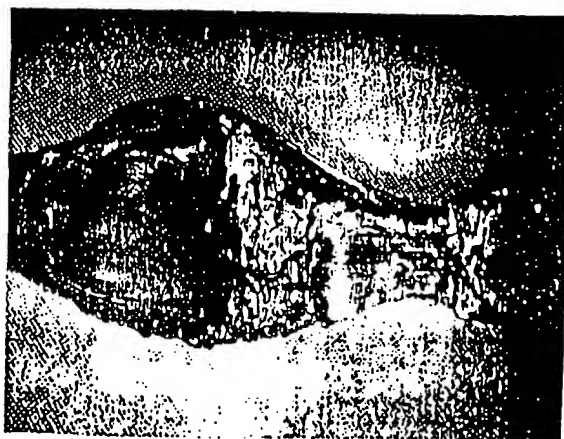


FIGURE 8

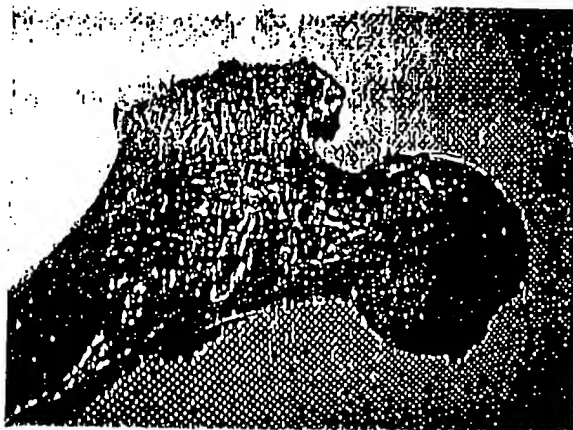


FIGURE 9

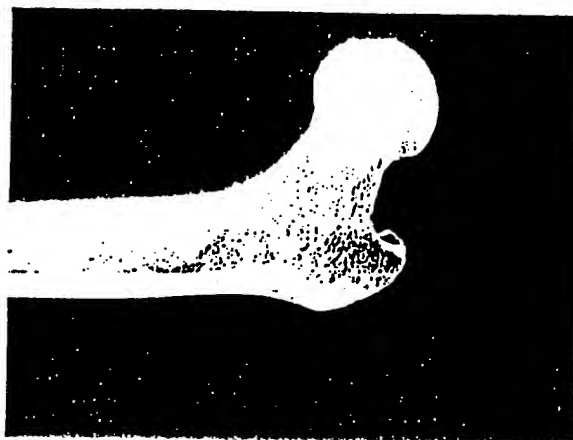


FIGURE 10

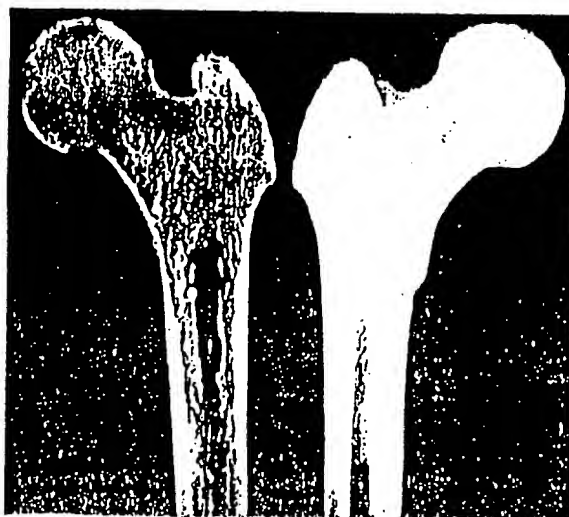


FIGURE 11

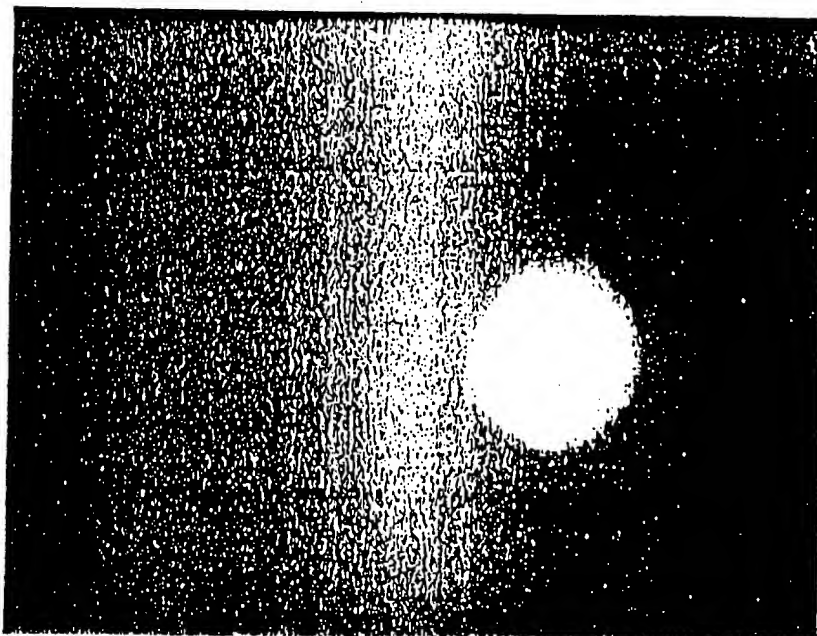


FIGURE 12

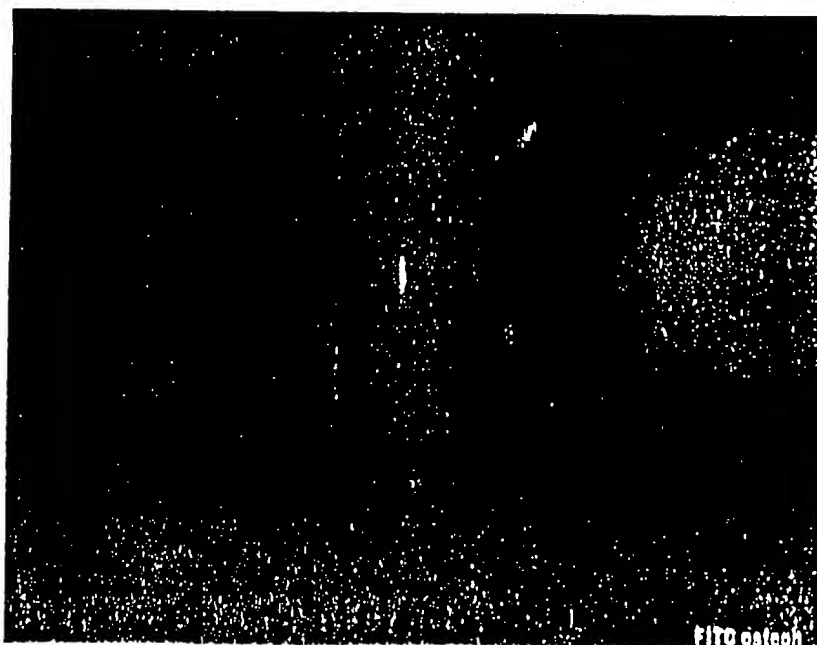
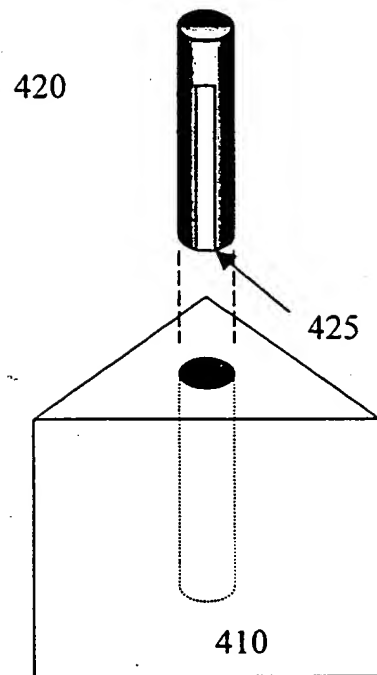


FIGURE 13

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**Figure 14**

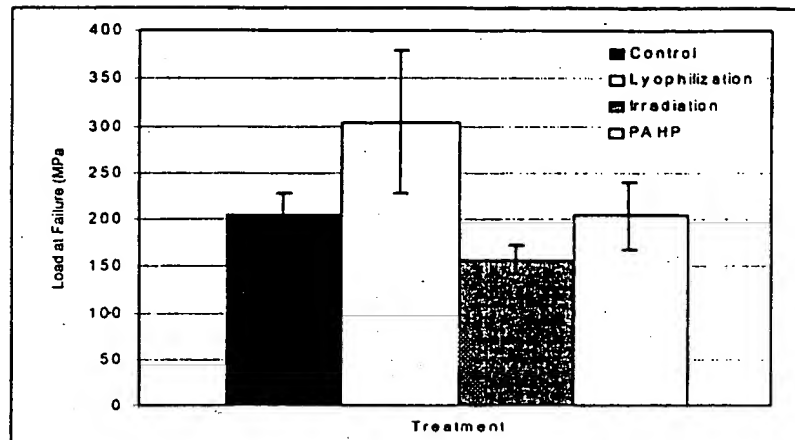


FIGURE 15

### % Mass Gained as a Function of Time

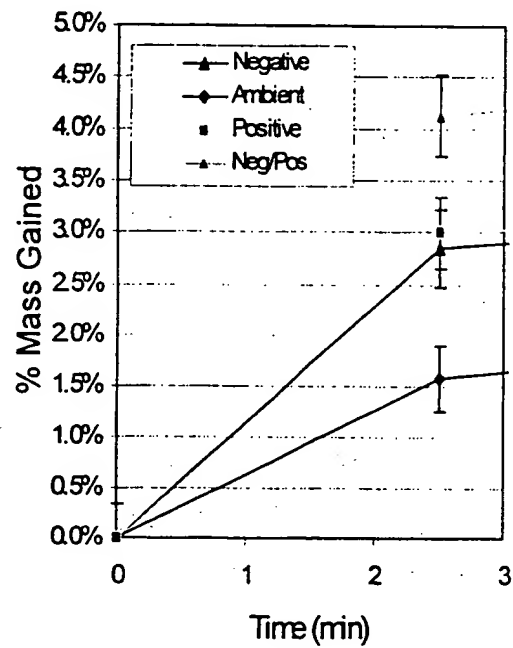
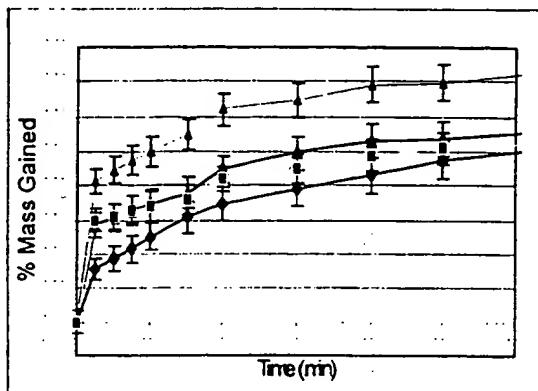
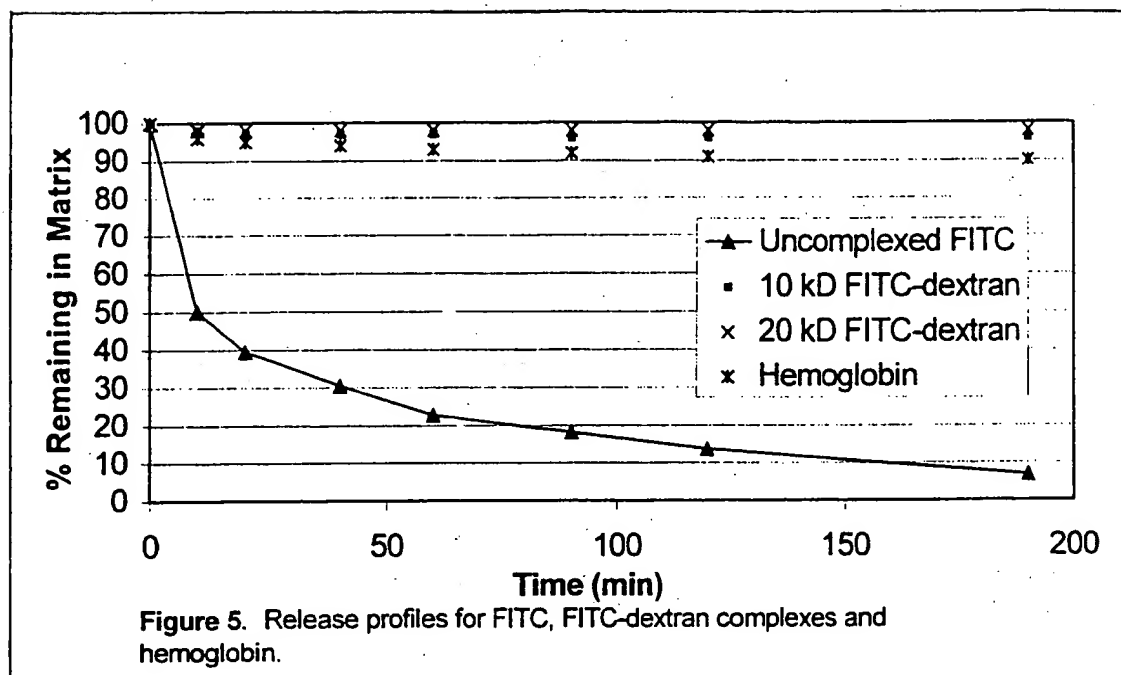


FIGURE 16

FIGURE 17



# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 99/26407

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61L2/00 A61L2/025 //A61L101:02, A61L101:06, A61L101:20,  
A61L101:22, A61L101:32, A61L101:34, A61L101:36, A61L101:38,  
A61L101:40, A61L101:54

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61F A23L A61L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 5 797 871 A (WOLFINBARGER JR LLOYD) 25 August 1998 (1998-08-25) column 2, line 60 -column 3, line 37 figures 1,4 examples claims	1-57
Y	PATENT ABSTRACTS OF JAPAN vol. 015, no. 512 (C-0898), 26 December 1991 (1991-12-26) & JP 03 224570 A (CHIYODA SEISAKUSHO:KK), 3 October 1991 (1991-10-03) abstract	1-57

-/--

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another claim or other special reason (see specification)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*A\* document member of the same patent family

Date of the actual completion of the international search

12 April 2000

Date of mailing of the international search report

25/04/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 661 apo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Thornton. S

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 99/26407

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>WO 98 41245 A (OSTEOTECH INC) 24 September 1998 (1998-09-24) page 7, line 2 - line 7 page 10, line 1 -page 11, line 7 page 15, line 20 -page 16, line 6 example 1 figures 1,7 claims</p>	1-57
A	<p>DATABASE WPI Section PQ, Week 199429 Derwent Publications Ltd., London, GB; Class P32, AN 1994-239698 XP002135434 &amp; SU 1 811 817 A (TRAUMATOLOGY ORTHOPAEDY RES INST), 30 April 1993 (1993-04-30) abstract</p>	1-9, 12-29, 33-40, 42-45, 54-57
A	<p>WO 97 27882 A (STERIS CORP) 7 August 1997 (1997-08-07)</p> <p>page 9, line 4 -page 11, line 12 claims</p>	1-4,6-9, 11, 14-24, 27,28, 33, 39-49, 54-57
A	<p>WO 94 11036 A (AMERICAN STERILIZER CO) 26 May 1994 (1994-05-26)</p> <p>page 14, line 14 -page 15, line 19 figure 1 claims</p>	1-4,6,8, 12,16, 33,39

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 99/ 26407

## Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
Although claims 42-52 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the implant.
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

International Application No. PCT/ US 99/26407

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box 1.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery

Continuation of Box 1.1

Although claims 42-52 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the implant.

# INTERNATIONAL SEARCH REPORT

International Application No. PCT/US 99 26407

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 42-52 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the implant.

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Continuation of Box I.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery

# INTERNATIONAL SEARCH REPORT

(Information on patent family members)

International Application No

PCT/US 99/26407

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 5797871 A	25-08-1998	US 5976104 A US 5556379 A US 6024735 A US 5820581 A US 5977034 A	02-11-1999 17-09-1996 15-02-2000 13-10-1998 02-11-1999
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## CORRECTED VERSION

(19) World Intellectual Property Organization  
International Bureau



(43) International Publication Date  
25 May 2000 (25.05.2000)

PCT

(10) International Publication Number  
WO 00/29037 A1

(51) International Patent Classification<sup>7</sup>: A61L 2/00,  
2/025 // 101:02, 101:06, 101:20, 101:22, 101:32, 101:34,  
101:36, 101:38, 101:40, 101:54

(21) International Application Number: PCT/US99/26407

(22) International Filing Date:  
8 November 1999 (08.11.1999)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
09/191,232 13 November 1998 (13.11.1998) US  
09/378,527 20 August 1999 (20.08.1999) US  
09/390,174 7 September 1999 (07.09.1999) US

(72) Inventors; and

(75) Inventors/Applicants (for US only): MILLS, C., Randal [US/US]; 1 Innovation Drive, Alachua, FL 32615 (US). WIRONEN, John, F. [US/US]; Unit 101, 707 S.W. 75th Street, Gainesville, FL 32607 (US). HANSTKE, Sean [CA/CA]; 690 Rowntree Dairy Road, Woodbridge, Ontario L4L517 (CA).

(74) Agent: BENCEN, Gerard, H.; Bencen & Van Dyke, P.A., 1630 Hillcrest Street, Orlando, FL 32803 (US).

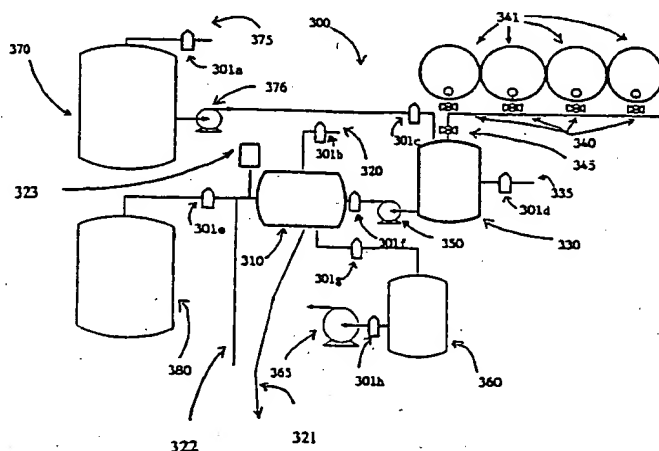
(81) Designated States (national): AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.

(71) Applicant (for all designated States except US): REGENERATION TECHNOLOGIES, INC. [US/US]; 1 Innovation Drive, Alachua, FL 32615 (US).

(84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent

[Continued on next page]

(54) Title: TISSUE POOLING PROCESS



(57) Abstract: This invention includes a novel method for safely, effectively and efficiently pooling of tissues for treatment prior to implantation into a recipient in need thereof. In one embodiment, the method includes perfusion of a porous implant which achieves efficient interpenetration of desired factors into and removal of undesirable factors from the pores of the implant, cleaning of the implant, efficient passivation of the implant (inactivation of pathogens, microorganisms, cells, viruses and the like and reduction in antigenicity thereof), and the novel implant produced by such treatment. The process presents a system wherein the rate of pressure cycling, the fact of pressure cycling, and the amplitude of pressure cycling, results in highly cleaned tissues and other implants for implantation. Target decontamination goals for this process include between about a one (1) to twelve (12) log reduction in bacterial contamination, between about a one (1) to fifteen (15) log reduction in enveloped virus contamination, up to about a five (5) log reduction in non-enveloped virus contamination, between about a two (2) to ten (10) fold reduction in endotoxin, maintenance of implant or graft biologic and biomechanical properties, absence of tissue toxicity due to cleaning solutions used, and reduced implant antigenicity.

WO 00/29037 A1



(AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

**(15) Information about Correction:**

see PCT Gazette No. 10/2001 of 8 March 2001, Section II

**Published:**

— *With international search report.*

*For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*

**(48) Date of publication of this corrected version:**

8 March 2001

## CORRECTED VERSION

**(19) World Intellectual Property Organization  
International Bureau**



**(43) International Publication Date**  
**25 May 2000 (25.05.2000)**

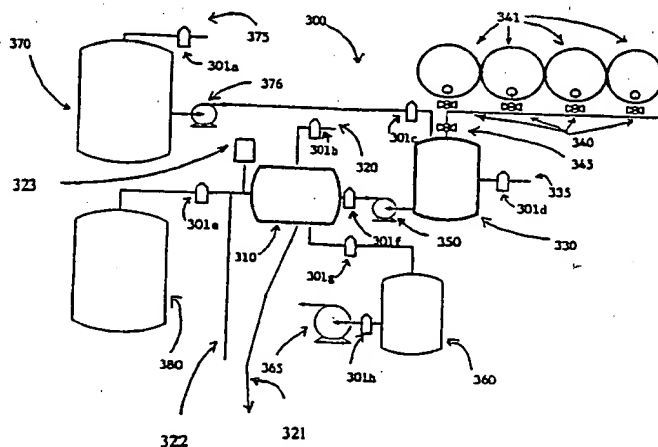
**PCT**

**(10) International Publication Number**  
**WO 00/29037 A1**

- (51) **International Patent Classification<sup>7</sup>:** A61L 2/00, 2/025 // 101:02, 101:06, 101:20, 101:22, 101:32, 101:34, 101:36, 101:38, 101:40, 101:54
- (21) **International Application Number:** PCT/US99/26407
- (22) **International Filing Date:** 8 November 1999 (08.11.1999)
- (25) **Filing Language:** English
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- (30) **Priority Data:**
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| 09/191,232 | 13 November 1998 (13.11.1998) | US |
| 09/378,527 | 20 August 1999 (20.08.1999)   | US |
| 09/390,174 | 7 September 1999 (07.09.1999) | US |
- (71) **Applicant (for all designated States except US):** REGENERATION TECHNOLOGIES, INC. [US/US]; 1 Innovation Drive, Alachua, FL 32615 (US).
- (72) **Inventors:** DONDA, Russell, S.: 1 Innovation Drive, Alachua, FL 32615 (US). GROOMS, Jamie, M.: 1 Innovation Drive, Alachua, FL 32615 (US). BIANCHI, John, R.: 1 Innovation Drive, Alachua, FL 32615 (US).
- (72) **Inventors; and**
- (75) **Inventors/Applicants (for US only):** MILLS, C., Randal [US/US]; 1 Innovation Drive, Alachua, FL 32615 (US). WIRONEN, John, F. [US/US]; Unit 101, 707 S.W. 75th Street, Gainesville, FL 32607 (US). HANSTKE, Sean [CA/CA]; 690 Rowntree Dairy Road, Woodbridge, Ontario L4L517 (CA).
- (74) **Agent:** BENCEN, Gerard, H.: Bencen & Van Dyke, P.A., 1630 Hillcrest Street, Orlando, FL 32803 (US).
- (81) **Designated States (national):** AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT,

*[Continued on next page]*

(54) Title: TISSUE POOLING PROCESS



**(57) Abstract:** This invention includes a novel method for safely, effectively and efficiently pooling of tissues for treatment prior to implantation into a recipient in need thereof. In one embodiment, the method includes perfusion of a porous implant which achieves efficient interpenetration of desired factors into and removal of undesirable factors from the pores of the implant, cleaning of the implant, efficient passivation of the implant (inactivation of pathogens, microorganisms, cells, viruses and the like and reduction in antigenicity thereof), and the novel implant produced by such treatment. The process presents a system wherein the rate of pressure cycling, the fact of pressure cycling, and the amplitude of pressure cycling, results in highly cleaned tissues and other implants for implantation. Target decontamination goals for this process include between about a one (1) to twelve (12) log reduction in bacterial contamination, between about a one (1) to fifteen (15) log reduction in enveloped virus contamination, up to about a five (5) log reduction in non-enveloped virus contamination, between about a two (2) to ten (10) fold reduction in endotoxin, maintenance of implant or graft biologic and biomechanical properties, absence of tissue toxicity due to cleaning solutions used, and reduced implant antigenicity.



RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA,  
UG, US, UZ, VN, YU, ZA, ZW.

(48) Date of publication of this corrected version:

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(84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

(15) Information about Corrections:

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Previous Correction:

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Published:

— with international search report

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1.0 TITLE OF THE INVENTION

## TISSUE POOLING PROCESS

This application is a continuation-in-part of Application Serial No. 09/191,232, filed  
5 November 13, 1998, pending, and of Application Serial No. 09/378,527, filed August 20,  
1999, pending.

2.0 BACKGROUND OF THE INVENTION:2.1 FIELD OF THE INVENTION:

10

This invention is a novel method for pooling tissue. In one embodiment, the process includes the steps of perfusion of a porous implant which achieves efficient interpenetration of desired factors into the pores or channels of the implant, cleaning of the implant, efficient passivation of the implant (inactivation of pathogens, microorganisms, cells, viruses and the like and  
15 reduction in antigenicity thereof), and the novel implant produced by such treatment. This invention also provides a method for *ex vivo* treatment of diseased tissue, which may be re-implanted, free of diseased tissue.

2.2 DESCRIPTION OF KNOWN PROCEDURES FOR IMPLANT TREATMENT:

20

As used in this disclosure, the term "implant" refers to any material the implantation of which into a human or an animal is considered to be beneficial. Accordingly, the implant may be tissue-derived material, such as bone, skin, and the like, or it may be a metallic or synthetic material having an internal structure that may require cleaning or sterilization. The implant  
25 may comprise autograft tissue, allograft tissue, xenograft tissue or combinations thereof, and in the case of mineralized tissues, such as bone, the implant may comprise mineralized tissue, partially demineralized tissue, completely demineralized tissue, and combinations thereof. Bearing this definition in mind, it will be apparent that procedures have been described in the art for treatment of implants to either clean such implant, inactivate contaminating  
30 microorganisms or cells that may be present in or on such implant, or to infuse the implant with desirable factors. This section of the disclosure discusses several known methods for

achieving one or more of these results, in order to more clearly and definitively set forth that which has been invented, and which is disclosed and claimed as novel and inventive, as defined by the claims appended hereto.

- 5 European Patent Application No. EP 0 424 159 (Osteotech) - "Aseptic Processing of Allograft Bone and Tissue," (published April 24, 1991, based on a U.S. Priority application filed October 19, 1989), is an extremely general disclosure relating to aseptic processing of allograft bone and tissue.
- 10 U.S. Patent No. 5,333,626 (Cryolife) - "Preparation of Bone for Transplantation", relates to a method of preparing bone for transplantation by maintaining the internal matrix of the bone to be implanted, preferably at high pressure, in the presence of a decontaminating agent, preferably polyvinyl pyrrolidone-iodine (PVP-I) optionally in the presence of a detergent, in solution. The "high pressure" feature of this patent is described at column 5, lines 10-31:
- 15 "High pressure washing conditions should provide a force sufficient to drive the cleaning solution into internal matrix of the bone. Such high pressure washing conditions include, for example, vigorous agitation, such as with a paint can shaker, or high pressure lavage such as with a high pressure liquid jet stream...The pressure of the liquid jet stream is preferably 100 to 3,000 psi and most preferably 500 to 1,500 psi." However, the patent does not disclose or
- 20 suggest exposure of an implant to an oscillating atmospheric pressure, the referenced patent requires pressures significantly higher than those required according to the present invention, and it is only applicable to bone, while the present invention is applicable to bone or soft tissue. In addition, the claimed process requires approximately 1-2 days to complete.
- 25 U.S. Patent No. 5,513,662 (Osteotech) - "Preparation of Bone for Transplantation", relates to a method of preparing bone for transplantation in which the internal matrix of the bone is maintained at a pressure below one atmosphere. It is disclosed (column 10, lines 13-19) that "optimum times for maintaining pressure below ambient are generally in the range of 30 to 60 minutes but can be determined for each application by monitoring progress of blood and lipid
- 30 extraction (see Example 10)." It is further disclosed that generally use of gas pressure below ambient for less than two minutes will be ineffective and use for longer than five hours will

confer no further benefit. Thus, the '662 patent requires that the bone be maintained for substantial periods of time at pressures below one atmosphere. There is no disclosure or suggestion of rapidly cycling between elevated and decreased pressures, even though it is suggested that the bone might first be treated at an elevated pressure, followed by a treatment  
5 step at a pressure below atmospheric pressure (see, for example, claim 3, column 15). The present invention discloses a process wherein transient and cyclical exposure of an implant material to a given pressure achieves the desired result of implant cleaning, perfusion or passivation.

10 U.S. Patent No. 5,556,379 (LifeNet Research Foundation) - "Process for Cleaning Large Bone Grafts and Bone Grafts Produced Thereby," describes the "Allowash" process. The patent is explicitly directed to the removal of "bone marrow from the luminal and cancellous bone spaces in large, essentially whole, bone grafts." (See Summary of the Invention). Accordingly, the referenced patent is directed only to treatment of bone, which has to be  
15 largely intact. The stated intent in applying the process to essentially whole bone grafts is to reduce the load of potentially virus carrying bone marrow to facilitate preparation of smaller bone grafts therefrom. The process involves applying a vacuum to the bone graft to draw solution capable of solubilizing bone marrow through articulating cartilaginous surfaces and through the intact bone's intramedullary canal or other bone cavity. The patent neither  
20 discloses nor suggests a method in which oscillating pressures are used to clean a bone graft.

U.S. Patent No. 5,380,826 (Aphios Corporation) - "Supercritical Fluid Disruption of and Extraction from Microbial Cells", relates to a method for harvesting intracellular components by exposing cells to an elevated pressure in the presence of a solvent, and then rapidly and  
25 suddenly releasing the pressure to effect disruption of the cells. The patent also discloses an apparatus for carrying out this process continuously. However, this patent neither discloses nor suggests applying the cell disruption method to allograft bone.

U.S. Patent No. 5,288,462 (Stephen D. Carter)- "Sterilization Apparatus and Method", describes a chamber for receiving a material to be sterilized by repeatedly subjecting the  
30 chamber to elevated pressures, followed by sudden release of the pressure, i.e. "explosive decompression." The patent requires that the chamber be pressurized to at least 1000 psi.

The patent neither discloses, suggests, nor claims application of this method or chamber to sterilization of bone materials. There is no disclosure of cleaning solutions used in connection with the described apparatus that would be effective in sterilizing the matrix of a bone. There is no disclosure that would allow one skilled in the art to determine, without  
5 undue experimentation, that bone could be sterilized in this apparatus. In addition, there is no disclosure nor suggestion that an implant could be sterilized without use of such highly elevated pressures, but merely by oscillation of lower absolute pressures.

U.S. Patent No. 5,725,579 (Bioland) - "Process for Treating Bone Tissue and corresponding  
10 Implantable Biomaterials", is directed to a method of cleaning bone by exposing the bone to a supercritical fluid. As best as can be understood from this patent, this involves exposing bone to carbon dioxide at elevated pressures, in order to solubilize lipids.

Tissue sterilization methods known in the art have undesirable attributes. Gamma irradiation,  
15 in order to ensure destruction of pathogens, such as the human immunodeficiency virus (HIV), has to be used at doses that result in tissue destruction (e.g. 3.5 Mrad; see, for example, Rasmussen, et al., *J. Arthroscopic and Related Surgery*, 10(2):188-197, (1994); Goertzen, et al., *British Soc. of Bone and Joint Surg.*, 77:204-211 (1005); Loty, et al., *International Orthopaedics*, 14:237-242, (1990)). Use of ethylene oxide has been found to  
20 result in implants that produce inflammatory responses (Kudryk, et al., *J. Biomedical Materials*, 26:1477-1488, (1992); Thoren, et al., *Clin. Orthopaedics*, 318:259-263, (1995); Simonian, et al., *Clin. Orthopaedics*, 302:290-296, (1994); Jackson, et al., *Am. J. Sports Medicine*, 18:1-9, (1990)). Standard chemical solution treatments, while effective in sterilizing surfaces with which the solutions are brought into contact, have the major  
25 disadvantage of being insufficiently penetrating to reach the interstices of tissues, where potentially pathogenic organisms may reside. In view of these shortcomings, there remains a long-felt-need for an optimized tissue sterilization process, which would incorporate some or all of the following features: Effective removal or inactivation of a wide range of bacterial and viral pathogens; absence of graft toxicity; retention of desirable tissue characteristics,  
30 such as biomechanical strength or growth-inducing properties; effectiveness across a wide range of operating modifications and for a wide variety of tissue types; ability to conclude the

process in a final implant tissue container, to ensure sterile packaging and delivery for implantation.

In view of the foregoing review of the known art relating to implant treatment and sterilization methods, it is believed that the present invention provides a long needed improvement in that no absolute temperatures or pressures are required to achieve efficient implant cleaning, perfusion, or passivation. In addition, the instant method does not require drilling of holes in implant materials or any other manipulation or modification in order to achieve efficient implant cleaning and sterilization. Furthermore, the present method permits safe pooling of donor tissue for implant production at economies of scale, without at the same time diminishing the desirable biological properties of the pooled implant materials. The instant process includes a number of methodologies, the additive effect of which is the production of highly cleansed, sterilized (passivated) tissues, which may be implanted, without causing toxicity to the recipient. Various embodiments of the method of this invention include all of the above listed features, namely: effective removal or inactivation of a wide range of bacterial and viral pathogens; absence of graft toxicity; retention of desirable tissue characteristics, such as biomechanical strength or growth-inducing properties; effectiveness across a wide range of operating modifications and for a wide variety of tissue types; ability to conclude the process in a final implant tissue container, to ensure sterile packaging and delivery for implantation. Furthermore, in certain embodiments, osteogenic factors, chondrogenic factors, antibiotics, antineoplastics, antiinflammatories, or other biologically active agents, or combinations of such agents, are infused into implants. In one specific embodiment, the infused agent is a bone morphogenic protein. In another specific embodiment, the infused agent is a nucleic acid which actively encodes an osteogenic, chondrogenic or other growth factor. In yet a further embodiment, the process of this invention is used to treat autograft material *ex vivo* for reimplantation. Given the definition of the term "implant" as used herein, those skilled in the art will appreciate that an implant according to this invention may comprise autograft tissue, allograft tissue, xenograft tissue or combinations thereof. Thus, because of the enhancements of the present method, tissue from different donors may be combined, and indeed, animal tissue and human tissue treated according to the methods of this invention may be combined to form an implant. In the case

of mineralized tissues, such as bone, the implant may comprise mineralized tissue, partially demineralized tissue, completely demineralized tissue, and combinations thereof. As is known in the art, there is substantial variation in the bone inducing properties of different preparations of demineralized bone matrix (DBM) from the same donor, and even wider differences when the DBM, whether in powdered or other form, is derived from different donors. Those skilled in the art will appreciate from the present disclosure that pooling of various preparations of DBM to achieve batches of DBM of consistent quality and bone inducing capacity is enabled by the methods disclosed herein.

### 10    3.0    SUMMARY OF THE INVENTION

This invention provides a process whereby tissue originating from one or more donors is safely combined with tissue from one or more other donors. Allograft may be combined with autograft, xenograft or combinations thereof, according to the method of this invention. In addition, this invention enables the production of pooled batches of tissue with consistent and readily reproducible properties, due to the blending of the properties of tissues from different donors.

In one embodiment, the invention comprises a process wherein an oscillation of pressure is created in a chamber containing an implant material in the presence of various cleaning solutions (0.5% tri(n-butyl)phosphate, TNBP; hydrogen peroxide and the like). The process essentially comprises the following steps, assuming a metallic or synthetic material having an internal matrix or space, or cleaned (debrided) graft material, which may or may not have undergone initial machining, is used as the starting material:

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1.     Rapidly evacuate the chamber containing the implant, autograft, allograft or xenograft material;
2.     Rapidly backfill the chamber with cleaning solutions - e.g. H<sub>2</sub>O<sub>2</sub> /TritonX-100/TNBP/Betadine mixtures;
- 30    3.     Pressurize chamber;

4. Rapidly cycle between steps (1) and (3), for between about 1-150 cycles, maintaining a temperature of between about 35-40 degrees centigrade, with optional application of ultrasonic energy;
5. Machine the product as desired if not previously machined;
- 5 6. Repeat steps (1)-(4) using the same or a different cleaning compositions, optionally under elevated or reduced temperature; and
7. Optionally perform a surface decontamination step, preferably in the final packaging, as in exposure to vapor phase  $H_2O_2$  or like surface decontamination treatments known in the art.

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The absolute pressures of the system do not appear to be extremely critical to achieving deep, penetrating cleaning of the implant or graft materials. Rather, it is the rate of pressure cycling, the fact of cycling, and possibly the amplitude of pressure cycling, that appears to be critical to the success of this method. Accordingly, the entire process may be successfully

15 conducted at pressures above or below one atmosphere. Evacuation pressures of 25 inches of mercury to the vapor pressure of the solutions in the chamber are adequate. Backfill pressures of between about 40 and 100 PSI are also adequate. In one embodiment, the entire process is conducted in a chamber which permits for sonication of the contents throughout or at particular stages of the process. Preferably, where nucleic acid is to be infused into the

20 implant, this is conducted in the absence of sonication, which could disrupt the nucleic acid. In addition, preferably, the entire process is conducted in a programmable system under computer or programmable logic circuit control, so that manual processing is minimized and reproducibility of the process is maximized. Where the processed tissue is a bone implant or any form of allograft or xenograft tissue, election of appropriate solvents, such as urea

25 (preferably about 6 M), or other chaotropic reagents, (e.g. 4 M guanidine hydrochloride, or the like), has the additional advantage of producing a processed tissue of even lower antigenicity than if such treatment were not included. Target decontamination goals for this process include:

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- Between about a one (1) to twelve (12) log reduction in bacterial contamination
  - Between about a one (1) to fifteen (15) log reduction in enveloped virus contamination
  - Up to about a five (5) log reduction in non-enveloped virus contamination
  - 5 • Between about a two (2) to ten (10) fold reduction in endotoxin
  - Maintenance of implant or graft biologic and biomechanical properties
  - absence of tissue toxicity due to cleaning solutions used
  - reduced implant antigenicity
- 10 Such treatments and desirable results may also be applied to treatment of diseased tissue which may be harvested, treated *ex-vivo*, and re-implanted.

Accordingly, it is an object of this invention to provide a method for safely, efficiently and effectively pooling tissue from one or more donors with tissue from one or more additional  
15 donors, for subsequent implantation into a recipient in need thereof.

A further object of this invention is to provide a method for production of safe and effective allograft, autograft, xenograft, metallic or synthetic implants in an efficient, economical  
20 manner.

It is a further object of this invention to permit safe pooling of tissue donor sources for implant production, while minimizing the risk that any single contaminated donor will contaminate any other donor tissue or any recipients of the pooled tissue processed according to the method of this invention.  
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Another object of this invention is to provide a method for cleaning, perfusing or passivating implant materials without at the same time compromising the desirable biological properties of the starting implant materials.

30 A further object of this invention is to produce implant materials of reduced antigenicity.

A further object of this invention is to provide implants perfused with desirable biologically active substances, including but not limited to nucleic acids, growth factors, antibiotics and the like.

- 5 A further object of this invention is to provide a therapeutic method for harvesting of diseased tissue, *ex vivo* treatment, and re-implantation thereof.

- A further object of this invention is to provide implants comprising allograft, autograft, xenograft, or combinations thereof which have been treated to render the pooling of such  
10 tissues safe for implantation into a recipient thereof.

- A further object of this invention is to provide a method whereby consistent tissue implant properties are achieved by means of pooling tissues from the same or different donors, including demineralized bone matrix and the like.

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Further objects and advantages of this invention will become apparent from a review of the complete disclosure, including the claims which follow.

#### 4.0 Brief Description of the Drawings:

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Figure 1A provides a schematic in which the cyclic perfusion passivation process of the invention through seven cycles is shown, while figure 1B shows the cyclic pressure and fluid exposure to implant materials treated according to the method of this invention.

- 25 Figure 2 shows a schematic of one embodiment of an apparatus that may be employed to effect the method according to this invention.

Figure 3 shows a schematic representation of a further embodiment of an apparatus layout for conducting the method according to this invention.

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Figure 4 provides an overall flow-chart of the various stages of processing an implant according to the cyclic perfusion passivation process of this invention from donor tissue acquisition through final sterile product packaging.

- 5     Figure 5 provides one embodiment of a detailed processing containment layout for conducting the method according to this invention.

Figure 6 is a photograph of a whole humerus after being treated according to the method of this invention; a post-cleaning coronal section through the head of the humerus reveals the  
10     cleanliness of the inner bone matrix.

Figure 7 is a photograph of an intact knee, including proximal tibia, distal femur and patella, along with articulating tendons and ligaments, before treatment according to the method of this invention.

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Figure 8 is a photograph of the intact knee shown in figure 7, after treatment according to the method of this invention, showing cleanliness of the implant, and preservation of the articulating tendons and ligaments.

- 20     Figure 9 is a photograph of an anterior aspect of a coronal section through the proximal femur prior to treatment according to the method of this invention.

Figure 10 is a photograph of the posterior aspect of the coronal section through the proximal femur shown in figure 9, after treatment according to the method of this invention.

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Figure 11 is a photograph of the sections shown in figures 9 and 10, side-by-side, demonstrating the effectiveness of the treatment according to this invention for removal of endogenous substances.

- 30     Figure 12 is a photomicrograph of an osteon from cortical bone without fluoroisothiocyanate (FITC) fluorescent dye treatment (400X magnification).

Figure 13 is a photomicrograph of an osteon from cortical bone after inclusion of FITC in one of the cleaning solutions of this invention, demonstrating deep interpenetration of the dye into the smallest of bone interstices - bright green areas indicating structures containing FITC, including the large haversian canal (right margin) and smaller satellite lacunae (central area; 400X magnification).

Figure 14 provides a model system for testing the efficacy of a liquid sterilization process for cortical bone.

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Figure 15 provides results from treatment of bone according to the method of this invention as compared with irradiative or lyophilization treatment alone from a bone compression testing objective.

Figure 16 provides the results of cortical bone rehydration under ambient pressure, negative pressure, positive pressure, or cyclic negative and positive pressure conditions, according to the method of this invention.

Figure 17 provides the results of an analysis of release of perfused biomolecules from a bone matrix.

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### 5.0 Detailed Disclosure of the Preferred Embodiments:

As used herein, the term "passivate" is intended to refer to the elimination of potentially pathogenic organisms and immunogenic substances from an implant. Thus, both sterility and reduced antigenicity is intended by this term, although elimination of beneficial biological properties of the implant, such as osteogenic properties (osteoconduction or osteoinduction; bone fusion), natural tissue functionality, and desirable structural strength of an implant are not intended by this term. The term "passivation" is preferred to the term "sterilize" because, while sterilization is a goal, that term has an absolute connotation which can rarely, if ever, be completely achieved without attendant tissue destruction. In addition, while the implants

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produced according to the method of this invention may not be completely devoid of any antigenicity or pyrogenicity, these undesirable aspects are greatly reduced, and this too is intended by the term "passivation," as used herein.

- 5 The terms "perfused" or "perfusion," as used herein, are intended to imply efficient interpenetration of cleaning solutions or biologically active substances into and through the channels and crevices of materials intended for implantation into a recipient.

As used herein, the terms "rapid" or "rapidly" as they are applied to the process of pressure  
10 cycling according to this invention mean time frames on the order of seconds to minutes, rather than hours or days.

The terms "sonicate" or "sonication" as used herein mean the application of sonic or ultrasonic energy via a container of an implant undergoing processing according to the  
15 method of this invention under conditions that permit efficient transfer of the sonic energy to the implant. Those skilled in the art are familiar with the process of sonication and conditions whereby sonic energy may be transferred through a fluid to a workpiece such that efficient cleaning and bacterial or cellular disruption is achieved, without resulting in gross, ultrastructural damage to the workpiece.

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This invention provides a novel method for processing implant materials including, but not limited to, metallic implants, synthetic implants, ceramic implants, autograft, allograft or xenograft materials, including bone and soft tissue, mineralized or demineralized tissues and combinations of the foregoing types of tissues. In particular, soft tissue or allograft bone  
25 materials treated according to the method of this invention permit soft tissue or debrided allograft, autograft or xenograft bone to be thoroughly cleaned, machined, sterilized, packaged and then implanted at economies of scale heretofore not possible. In the past, tissue banks have attempted, as much as possible, to process tissue from single donors, without permitting contact between tissue derived from different donors. The concern has been that  
30 any given donor tissue may contaminate other donor tissue. Due to the extreme value of any donor's tissue, the risk of a large batch of donor tissues being found to be contaminated has

been considered an unreasonable risk. However, according to the method of the present invention, even if heavily contaminated donor tissue is included in a batch of pooled donor tissue, the resultant graft material available for implantation is safe for implantation.

- 5 Methods for minimizing the risk that donor tissue will be harvested and processed by a tissue bank, referred to herein as "donor qualification", are known in the art. Accordingly, thorough donor screening, and tissue testing by enzymatic, immunological, biochemical and molecular biological techniques are applied to minimize the risk that tissue carrying pathogens (viruses, bacteria, and the like) will be included in the materials processed and made available for  
10 implantation. Testing for contamination by human immunodeficiency virus, HIV, hepatitis B virus, HBV, hepatitis C virus, HCV, has now become routine in the art. Known screening and qualification methods are desirably included as an initial step preceding processing of the implant material according to the present method. Due to the highly efficient implant cleaning, permeation and passivation process encompassed by the instant invention, it is  
15 further expected that as yet unidentified potentially pathogenic organisms or organisms for which routine testing has yet to be developed (eg. prions) will, in any event, be removed from implant materials by virtue of the instant implant treatment process. Redundancy in the level of implant cleaning that is built into the instant pressure cycling permeation and passivation process ensures inactivation of such organisms or potentially pathogenic factors while at the  
20 same time permitting efficient implant processing.

- For purposes of the following description, allograft bone is referred to as an exemplary tissue that may be processed according to the present method. However, those skilled in the art will recognize that other tissues, including but not limited to autograft bone, xenograft bone, other  
25 porous tissues, synthetic porous materials, and various soft tissues, may be processed according to the principles defined herein, without departing from the spirit of the invention exemplified herein by reference to allograft bone material. Given the definition of the term "implant" as used herein, those skilled in the art will appreciate that an implant according to this invention may comprise autograft tissue, allograft tissue, xenograft tissue or  
30 combinations thereof. Thus, because of the enhancements of the present method, tissue from different donors may be combined, and indeed, animal tissue and human tissue treated

according to the methods of this invention may be combined to form an implant. In the case of mineralized tissues, such as bone, the implant may comprise mineralized tissue, partially demineralized tissue, completely demineralized tissue, and combinations thereof. As is known in the art, there is substantial variation in the bone inducing properties of different preparations of demineralized bone matrix (DBM) from the same donor, and even wider differences when the DBM, whether in powdered or other form, is derived from different donors. Those skilled in the art will appreciate from the present disclosure that pooling of various preparations of DBM to achieve batches of DBM of consistent quality and bone inducing capacity is enabled by the methods disclosed herein.

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According to this invention, allograft bone material from qualified donors is first treated by various known bioburden reducing methods, as in cleaning by debriding adventitious tissue according to methods known in the art. Manual dissection may be employed for removal from the bone surfaces of ligaments, tendons, skin, fat, muscle, loose bone marrow, and any other non-bone tissue. Alternatively, automated or semi-automated methods known in the art, (see, for example, the methods disclosed in U.S. Patent Nos. 5,333,626; 5,513,662; 5,725,579, and the like, herein incorporated by reference for this purpose), may be employed for initial cleaning of the donor bone material.

At this stage of the process, the cleaned allograft, autograft or xenograft materials from individual donors may be pooled and further cleaned as described below. Alternatively, the allograft, autograft or xenograft bone may be machined to the final implant dimensions, followed by pooling with a batch of similarly processed, dimensioned implants for further cleaning as described below. It will be appreciated from the foregoing disclosure and the disclosure that follows that tissue from a single donor may be processed according to the method of this invention. However, the instant method also facilitates pooling of tissues, same or different, from more than a single donor. The instant method also provides for production of composite implants wherein a first tissue from a first donor is combined with a second tissue from the same or a different donor, to produce a unitary composite implant..

For tracking purposes, while individual donors would have been tracked up to this stage, upon pooling, a batch number is defined for further tracking, with records being maintained

of all of the donors that have contributed to the batch. In yet a further alternative, and to ensure redundancy in the level of cleaning and potentially pathogenic contaminant inactivation, implant materials from individual donors may first be treated as described below, prior to pooling with implant materials from different donors. In this event, the  
5 implant material from individual donors may be further cleaned whole or first machined to desired final dimensions.

When applied to bone, subsequent to initial bioburden reduction and surface cleaning, the method of this invention provides for further processing whereby bone marrow, blood,  
10 proteins, and particulate matter is efficiently removed, such that what remains is essentially a mineralized collagen matrix, in which about a 5 to 6 log reduction in any form of viable organisms (viruses, bacteria, amoebae, rickettsia, fungi) is achieved. As described in greater detail below, this is achieved by a process of pressure cycling or oscillation, employing a variety of cleaning and sterilization solutions which are caused to efficiently interpenetrate  
15 the matrix. By repeated cycling and changing of the cleaning solvents, the channels of essentially any porous matrix are unclogged, and cleansed. A pre-defined, pre-programmed cycle of washes is employed, preferably with concurrent ultrasonic bombardment, to achieve penetrating sterilization of the implant. We have found that the combination of oscillating fluid pressure and ultrasonic energy accelerates solution interpenetration and endogenous  
20 substance removal. Where interpretation of nucleic acids encoding desired gene products is the goal, it is preferred to effect such interpretation in the absence of ultrasonic energy. This consideration applies to any biologically active compound which may be sensitive to destruction by ultrasonic energy.

25 In view of the foregoing description, it will be appreciated that in one embodiment, the invention includes a method which comprises the following steps:

1. Rapidly evacuate a chamber containing the implant such as porous metallic or synthetic materials, autograft, allograft or xenograft;
- 30 2. Rapidly backfill the chamber with cleaning solutions - e.g.  $H_2O_2$  /TritonX-100/TNBP/Betadine mixtures;

3. Pressurize chamber;
4. Rapidly cycle between steps (1) and (3), for between about 1-150 cycles, maintaining a temperature of between about 35-40 degrees centigrade, with optional application of ultrasonic energy;
5. Machine the product as desired if not previously machined;
6. Repeat steps (1)-(4) using the same or a different cleaning compositions, optionally under elevated or reduced temperature; and
7. Optionally perform a surface decontamination step, preferably in the final packaging, as in exposure to vapor phase  $H_2O_2$  or like surface decontamination treatments known in the art.

The process of perfusion passivation is further defined with reference to figure 1A. This schematic shows an implant 100 comprising solid structural constituents 110, channels 120, and adventitious materials 130 embedded within the channels 120. The structural constituents 110 may be synthetic materials, as in man-made polymeric material, (e.g. poly-L-lactic acid, acrylic acids, and the like), metallic structural materials, or natural materials, such as a mineralized or demineralized collagen matrix, autograft, allograft or xenograft bone or other tissue. The channels 120 may be man-made channels, defined by the polymerization, molding, melting or other manufacturing process, or may be natural channels, such as those found in mineralized or demineralized cancellous or cortical bone matrices. The adventitious materials 130 may be cellular debris, bone marrow, cells, lipids, carbohydrates, proteins, viruses, bacteria, rickettsia, amoebae, fungi and the like. In figure 1A, panels (1) and (2) relate to the first step described above. In panel (1), the channels 120 are primed for back-filling with cleaning solutions by exposing the tissue to decreased pressures. In panel (2), the cleared channels 120 are shown to be substantially clear of adventitious materials 130. Panel (3) relates to steps 2 and 3, wherein molecules of cleaning solution 140 are introduced into a sealed chamber and are driven into the channels 120 by elevated pressures. Panel (4) relates to the fourth step described above, wherein decreased pressure removes remaining cellular debris, cleaning solution 140, and other remaining adventitious materials from the channels 120, and again primes the matrix for deep penetration, now possible due to the clarity of the channels 120. In panels (5)-(7), a one cycle repeat according to the fourth step described

above is shown, whereby upon repressurizing with clean solvents, full interpenetration of the solvents into the implant matrix is achieved. In panel (6), reduced pressure draws the remaining solution from the implant, which may then be dried, as shown in panel (7), prior to further processing (e.g. machining according to step 5 above, further cleaning, according to step 6 above), and final packaging of the cleaned tissue. The cycle depicted in figure 1A may be repeated as many times as desired to ensure complete internal cleaning of the matrix interior. In figure 1B, a representation of the pressure and fluid oscillation throughout the various steps of the above described process is represented.

- 10 After being medically released, (i.e. passing a battery of risk factor and biochemical assays, including, for example, HIV-specific PCR, and the like), donor tissue is cleaned of any extraneous or adventitious tissue. The thus-cleaned tissue is loaded into a sealable reaction chamber. A preferably pre-programmed tissue cleaning process is then initiated comprising a plurality of wash steps. Deep tissue interpenetration by cleaning solutions is achieved by
- 15 oscillating the pressure in the chamber while adding and removing various cleaning solvents. Ultrasonic energy is applied at various stages of the cleaning process to accelerate solution penetration and removal of unwanted contaminants or endogenous substances, including blood, lipid, and non-structural or undesired proteins. In one preferred cleaning cycle according to this invention, steps (1-4) of the claimed process are carried out according to a
- 20 protocol similar to that defined in the following table to remove blood, fat, bacterial, viral, fungal or other contamination:

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Table I:

Step	Pressure	Fluids*	Sonication	Duration (min)	Purpose
0	Atmospheric	None	Off	NA	Load tissue into chamber
1	Negative (60-100 torr)	None	Off	2	Prime tissue matrix, remove included air and loose debris
2	Negative (60-100 torr)	B,C,D, E, mixtures	On	1	De-gas cleaning fluids
3	Positive (5-8 atmospheres)	B,C,D, E, mixtures	On	1	Force fluids into tissue matrix
4	Negative/ Positive	B,C,D, E, mixtures	On	(1 x n)	Remove debris loosened by fluids, pressure oscillation and sonication

## \*Fluids:

- 5 B = Triton X-100/TNBP, a solvent/detergent to remove debris and kill viruses and bacteria;  
 C = 3% hydrogen peroxide, to remove cellular debris, inactivate viruses and bacteria;  
 D = mixture of B and C;  
 E = water-miscible alcohol, such as ethanol or isopropanol;  
 mixtures = B, C, D, E in any desirable proportions.

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- According to Table I, in step 0, under atmospheric pressure, and no fluid or sonication, a pressurizable chamber in which the process may be conducted, is loaded with metallic, synthetic or other man-made implant materials, autograft or allograft bone or soft tissue, xenograft bone or soft tissue, from an individual qualified donor. It will further be
- 15 understood that the treated implant may comprise a combination of tissue and synthetic materials, such as, for example, biopolysulphone and the like. Where the implant is a tissue, the tissue is preferably first cleaned of surface adventitious tissue, prior to initiating the steps shown in table I. In step 1, under negative pressure (vacuum), for a period of about two minutes, the matrix of the implant or implants is primed (i.e. see figure 1, step 1, to remove
- 20 trapped air, cellular and other loose debris by vacuum). In step 2, under negative pressure.

cleaning fluid is introduced with sonication, to aid in penetration of the fluid and to ensure gas is removed from the introduced fluid. In step 3, under positive pressure, and in the presence of an appropriate cleaning solvent and sonication, solvent is forced into the matrix of the implant. Thereafter follows a series of "n" cycles of positive and negative pressure in the presence of solvent and sonication, during which the matrix channels are backfilled and emptied of solution and debris. The number of times this step is cycled may be from once to about 150 times (i.e.  $n = 1-150$ ; preferably  $n$  is about 10-50 times).

After step 4 in Table I, the cleaning fluid is removed to waste under positive pressure, the tissue is dried under negative pressure, and is rinsed several times under oscillating positive and negative or elevated and decreased pressure using sterile water or physiological saline (e.g. phosphate buffered saline, PBS), with or without accompanying sonication. The number of rinse cycles may be from 1-150 times, and is preferably about 1-50 times. The rinse solution is drained under positive pressure, and the tissue is again dried under negative pressure.

After removal of the gross contamination according to the steps outlined above, the tissue in-process may be machined into dimensionally finished grafts if such processing has not previously been accomplished, (step 5 of the instant process, as defined above), and then loaded into a reaction chamber, same or different than that used to carry out the steps according to Table I. A deep-penetrating cleaning, passivation or sterilization cycle, preferably under programmable logic control, is then conducted according to a protocol similar to that defined in Table II (see step 6 defined above, which represent a repeat of steps 1-4 of Table I, optionally using different cleaning solvents; these steps are distinguished by indicating the steps as 0'-4'):

Table II:

Step	Pressure	Fluids*	Sonication	Duration (min)	Purpose
0'	Atmospheric	None	Off	NA	Load tissue into chamber
1'	Negative (60-100 torr)	None	Off	2	Prime tissue matrix, remove included air and loose debris
2'	Negative (60-100 torr)	F, G, H, I, J, mixtures	On	1	De-gas cleaning fluids
3'	Positive (8-10 atmospheres)	F, G, H, I, J, mixtures	On	1	Force fluids into tissue matrix
4'	Negative/ Positive	F, G, H, I, J, mixtures	On	(1 x n)	Remove debris loosened by fluids, pressure oscillation and sonication

\*Fluids:

F = 6M urea or other chaotropic agents, e.g. 4 M guanidine HCl, to reduce implant

5 antigenicity;

G = 1% sodium hypochlorite, to inactivate viruses, bacteria, fungi or other residual contaminants;

H = 1N sodium hydroxide, to inactivate viruses and bacteria;

I = 6% hydrogen peroxide, as a sterilant;

10 J = hexane, ether, diethanolamine (DEA), toluene, xylene, butane, CO<sub>2</sub> (supercritical), isobutane, propane, acetone, isopropanol, methanol, ketones, ethers, aliphatic or aromatic hydrocarbons, HCl, gaseous HCl.

mixtures = F, G, H, I, J in any desirable proportions.

15 After step 4' in Table II, the cleaning fluid is preferably retained in a positively pressurized reaction chamber for an extended period to ensure complete killing of any residual contaminating pathogens or other organisms. A period of from one to sixty minutes, and preferably about ten minutes, is sufficient for this purpose. The cleaning fluid is then removed to waste under positive pressure, the tissue is dried under negative pressure, and is

rinsed several times under oscillating positive and negative pressure using sterile water or physiological saline (e.g. phosphate buffered saline, PBS, or the like), with or without accompanying sonication. The rinse solution is drained under positive pressure, and the implant is again dried under negative pressure.

5

Those skilled in the art will appreciate that the specifics of the process outlined according to Tables I and II above may be modified, without departing from the essence of the present invention. Essentially, other cleaning solvents or concentrations than those suggested herein may be used, the number of oscillations between elevated and reduced pressure, and the  
10 cycling times, pressurization and depressurization levels and periods may be altered, according to the requirements for a given tissue. However, the conditions specified in Tables I and II result in deeply penetrating cleaning, as evidenced by the ability to force dyes deep into tissue matrices, to remove dyes that have been allowed to soak deep into tissue matrices, and the ability to remove or kill endogenous or added biological contaminants, including a  
15 wide variety of bacteria, viruses and fungi. Tissues cleaned according to this procedure include, but are not limited to: cortical bone, cancellous bone, fascia, whole joints, tendons, ligaments, dura, pericardia, heart valves, veins, neural tissue, submucoal tissue, (e.g. intestinal tissue), and cartilage. Bone treated according to this method and subsequently tested for retained biomechanical strength and ability to induce new bone formation (osteoconduction  
20 and osteoinduction, collectively referred to as osteogenic activity) retains good biomechanical strength and is expected to retain osteogenic activity. Furthermore, bone treated according to one embodiment of this method and implanted as a xenograft was found to induce little or no adverse immunological reactivity, indicating reduction in antigenicity of the material. This is particularly true where urea or other chaotropic agents (e.g. guanidine hydrochloride), is used  
25 as one of the cleaning fluids or is included in a mixture of cleaning fluids.

The method disclosed herein will suggest to those skilled in the art a number of possible alternate methods to facilitate tissue pooling as disclosed herein and devices to achieve the programmed steps defined above. Thus, for example, in one embodiment according to this  
30 invention, a device such as that shown schematically in figure 2 may be employed for semi-manual implementation of the cyclic perfusion passivation process of this invention.

According to this embodiment of the invention, a chamber 200 comprising a lid 210 and a trough 220 is adapted for cyclic perfusion passivation of implants. A series of posts 230, onto which a series of bolts 240 may be tightened are provided for securing the lid 210 to the trough 220. A grating 250 is provided inside the chamber 200 for receiving implant material to be treated. Through the lid 210 is provided a series of access ports 260, 261, 262, 263. Access port 260 is a sterile water input line. Access port 261 is an input line for other fluids. Access port 262 is a vacuum line. Access port 263 is a line for pressure input. In addition, a port 264 is provided for insertion of a temperature probe. Port 265 is a port for supplying power to a sonicator built into the walls 225 of the chamber 200. Port 266 is a drain. Accordingly, a device such as that shown in figure 2 could be used carrying out the cyclic perfusion passivation process according to this invention.

With reference to figure 3, an automated or semi-automated apparatus 300 may be defined for carrying out the instant process. Per this disclosure, programmable logic controllers activate or deactivate valves or solenoids 301a-h at pre-determined times in the cleaning cycle. An implant is placed in a reaction chamber 310 which is sealed. An atmospheric vent 320 is provided to permit entrance and removal of filtered air, and a drain 321 is provided to remove waste or solvents. Cleaning fluids are introduced into reaction chamber 310 from a chemical mixing tank 330 which has a filtered vent to atmosphere 335, to avoid formation of a vacuum in the tank 330. Chemical feed lines 340 lead from fluid reservoirs 341 to the chemical mixing tank 330 via a common conduit 345. A programmably controlled pump 350 is operated to pump appropriately mixed fluids from the tank 330 into the reaction vessel 310. Vacuum or negative pressure is applied to the reaction vessel 310 by means of a vacuum receiver tank 360, in which a source of negative pressure is created by vacuum pump 365. The inclusion of a vacuum reservoir 360 is desirable so that essentially instantaneous vacuum of known dimensions may be applied to the reaction chamber 310, without the need for a vacuum pump such as 365 having to gradually develop the negative pressure. Vacuum receiver tank 360 may be evacuated by pump 365 while reaction tank 310 is under positive pressure. A source of sterile water, physiological saline, or like aqueous solution is provided in storage tank 370, which has a filtered vent 375 to prevent formation of a vacuum in tank 370. Pump 376 provides for rapid infusion of aqueous solution into chemical mixing tank

- 330 for introduction into the reaction chamber 310. Those skilled in the art will appreciate that the water from tank 370 may also be directly introduced into reaction tank 310, without having to first be introduced into chemical mixing tank 330. Positive pressure is stored in pressure tank 380 which is pressurized by a compressor of filtered gas, to retain sterility in the reaction tank 310. In practice, an appropriately programmed computer or programmable logic controllers permit venting of the reaction chamber 310, to permit loading of tissue. The chamber is then sealed, evacuated, pressurized, and fluid is introduced and removed, as outlined, for example, in Table I and Table II above, to complete the implant cleaning process. In addition, a source of filtered sterile steam 322 to rapidly sterilize the internal, filtered and sterile zone of the device is provided. It is also desirable to include a heat exchange means 323 to rapidly equilibrate the system temperature. Water cooled, air cooled, nitrogen cooled, water heated, thermocouple heated or like radiative means are all acceptable, depending on the internal temperatures desired.
- Manual or automated perfusion of cleaning and sterilizing fluids, as outlined above, results in reduction of the bioburden of implant material from individual donors, prior to pooling with implant materials from other donors for batch processing. Initial bioburden reduction may be achieved according to a protocol such as that outlined in Table I, to reduce the potential for contamination of an uncontaminated implant by contact with a contaminated implant.
- However, those skilled in the art will recognize that the penetrating passivation process of this invention is so efficient that for certain types of implants in which the initial prospect of encountering a contaminated implant is sufficiently low, it may be possible to simply batch process implant materials according to Table I and Table II, rather than first cleaning implants from an individual donor according to the Table I program, prior to combining such implant materials from different donors and processing the pooled implants according to the Table II program.

- Where an initial bioburden reducing step for implant materials derived from individual donors is considered prudent, individual donor tissues are processed according to the Table I program, and are then quarantined until all quality control criteria are passed. Only the individual donor tissues that pass such quality control after initial bioburden reduction are

pooled for processing according to the Table II protocol. As an initial bioburden reduction program, a combination of TritonX-100 and TNBP may be used as a first solvent to remove debris and to inactivate bacteria and viruses. A second solvent may be a 3% hydrogen peroxide solution to remove cellular debris and to further reduce bioburden. A third solvent  
5 may be povidone iodine solution to yet further reduce bioburden. Finally, ascorbic acid solution may be employed to decolorize the implant or remove any residual iodine. These solutions may be employed in a different order, and indeed, different solutions may be used to similar effect. The particular solutions listed are preferred, however, due to their low toxicity, and our discovery that the defined combination of solutions results in efficient reduction in  
10 bioburden, implant cleaning, passivation and interpenetration. The solutions of Table I are typically employed in a cycle such as that shown in Table I, steps 0-4.

At this stage of the process, cleaned allograft or xenograft tissue from individual donors or previously pooled donors is optionally pooled and further cleaned as described below.  
15 Alternatively, the tissue is first dimensioned by machining, trimming and the like, to achieve the final implant dimensions. The dimensioned tissue is further processed individually or is pooled with a batch of similarly or differently processed, dimensioned implants for further cleaning as described below. In addition, it will be appreciated from this disclosure that different tissues from the same or different donors may be combined prior to, during or after  
20 treatment according to the method of this invention in order to produce an individual composite product. Thus, for example, collagen gelatin or like material, such as that disclosed in WO98/40113 (hereby incorporated by reference) may be combined with bioactive ceramics, such a bioactive glass and the like, hydroxyl apatite or the like, bone chips or the like and then packed into an implant from yet another donor or the same donor, such as  
25 the device of US Patent No. 5,814,084 (hereby incorporated by reference). It will further be appreciated that the device as disclosed according to the 5,814,084 patent may be produced from an individual donor or a pool of donor tissues as treated according to the present invention. The final composite material would thus be derived from potentially multiple donor tissues, each of which may have been derived from multiple donors, and treated  
30 according to the method of this invention. For tracking purposes, while individual donors would have been tracked up to this stage, upon pooling, a batch number is defined for further

tracking, with records being maintained of all of the donors that have contributed to a given batch.

In Table II, a set of solutions is described for achieving penetrating sterilization of individual tissues or tissues pooled from different donors which have already been treated according to the program outlined in Table I. Thus, a first solution of 6% hydrogen peroxide, followed by a second solution of 1% sodium hypochlorite, followed by a solution of 1 N sodium hydroxide, may be used to achieve sterilization. A 70% solution of isopropanol may be used as a broad spectrum germicide. Thus, the solutions of Table I and Table II may be employed according to the program shown, or modified as needed. Those skilled in the art will appreciate that different penetrating sterilants may be employed or that mixtures of the described sterilants may be possible. In any event, at the conclusion of this stage of the process, the individual or pooled batch of implants has been thoroughly cleaned, passivated (if not sterilized), and interpenetrated by cleaning solutions. Reductions in enveloped virus, vegetative bacteria, and fungal contamination of up to twelve logs or higher and of non-enveloped viruses and spores of up to about five logs are achieved according to the process described herein. In addition, about a two to ten-fold reduction in endotoxin levels is achieved, along with significant elimination of blood, lipid, nucleic acid, and non-structural protein. Furthermore, this process retains the beneficial structural and other desirable biological properties of the implant material. Significant enhancements in production yields, through the ability to batch process implant from pooled donors, are also achieved.

Subsequent to penetrating passivation of the implant materials, the implant materials are placed in their final packing. Preferably, this is achieved in a sterile environment to avoid introduction of any adventitious bioburden. To ensure sterile packaging, with the final machined grafts in their final, unsealed packages, the implants are exposed to a vapor-phase hydrogen peroxide/peracetic acid or like vapor-phase sterilizing environment. The packages are then closed to ensure that no contamination may occur upon removal of the implants from the sterile field for storage or shipment to surgeons. The sealed packages may then, optionally, be subjected to levels of gamma or other types of irradiation known to not adversely affect tissue properties (e.g. below about 3.0 Mrad, or for short periods of time to

effect surface sterilization, and to ensure internal destruction of any residual large-genome organisms; however, such internal treatment is generally not required, deep sterilization having been achieved according to the cleaning protocol, or a variant thereof, as described herein). Other surface and redundant internal sterilization methods, including exposure to  
5 electron beams, exposure to ethylene oxide, and the like, may also be conducted at this stage, so long as toxicity or diminishment of desirable biological activities is not thereby effected.

As a further enhancement to the process defined herein is the ability to produce implant materials with perfusion of desirable bioactivities. Accordingly, in the final rinse steps after  
-10 steps 0-4 or Table I or steps 0'-4' of Table II, a solution containing desired antibiotics, anti-inflammatory drugs or other biologically active agents may be employed to infuse antibiotic or other desired bioactive substances into the cleaned, passivated tissues. Alternatively or in addition, growth factors, such as bone morphogenetic proteins, cartilage derived growth factors, tissue growth factors, natural (autograft, allograft or xenograft) or recombinant, and  
15 the like known in the art may be perfused into the implant. In one preferred embodiment, in the absence of sonication during the perfusion step, a solution containing expressible nucleic acids in plasmid, viral or linear DNA or RNA vector form is infused into the implant. The nucleic acid preferably encodes an appropriate growth factor, antineoplastic agent, peptide or protein, depending on the nature of the tissue into which the nucleic acid is perfused. For  
20 example, where nucleic acid under the control of a CMV promoter or the like is infused into bone matrix, preferably one or more genes encoding bone morphogenetic proteins (BMP's) are encoded. Alternatively, where a cartilagenous tissue is infused, the nucleic acid may encode a cartilage derived morphogenic protein. Alternatively, or in addition, the nucleic acid may encode tissue growth factors (beta and the like), peptides (eg. P/5 and the like) or any  
25 other desirable gene product. The nucleic acid may be DNA, RNA or it may be combinations thereof, optionally including synthetic nucleotides or markers to track nucleic acid penetration and concentration. In addition, by finely grinding demineralized bone matrix (DBM) and forming a hydrated slurry or aqueous mixture thereof, implants may be perfused with the DBM which contains a complex mixture of growth factors. Alternatively, using the method  
30 of this invention, a bone implant may be partially demineralized to expose growth factors

prior to implantation. Similarly, bone marrow or bone marrow extracts may likewise be perfused into the matrix of an appropriate implant.

5 In a further embodiment of this invention, the cleaning process is applied to rid a tissue of a pathogenic organism or condition. This can be achieved, for example, by harvesting a diseased mandible or any other bone or tissue, ravaged by cancerous cell growth. The section of autograft is cleaned and passivated *ex vivo*, perfused with growth factors, nucleic acids encoding growth factors, antibiotics, antineoplastics, antiinflammatories analgesics or any after desired biologically active substance, and then re-implanted into the same or a different  
10 patient, to provide a non-pathogenic tissue.

As can be appreciated from the foregoing detailed disclosure, the process of the present invention may be carried out at any stage of implant production, and it does not require special preparations such as removal of cartilage, or potentially implant damaging steps such  
15 as drilling of holes. Furthermore, it will be appreciated from this disclosure that the method of this invention broadly discloses a process for tissue inventory production wherein, in a first phase, tissue from a plurality of donors is pooled and processed according to the method of this invention. The result is a stockpile of useable materials of fundamental units, available for further processing as needed. In a second phase, as the need arises, the fundamental tissue  
20 units available in inventory are further processed, if necessary, in order to produce the final product required for implantation. In this manner, this invention provides a significant and fundamental advance to the art whereby tremendous enhancements in efficiency are achieved, since a single processing episode is implemented to generate a large volume of tissue available for implantation or further processing. As compared to the existing situation in  
25 donor tissue processing, whereby for each donor and for each tissue, a separate processing episode may be required to derive a single product, following which all processing equipment and personnel are required to be exchanged to intake a new tissue from a new donor. Accordingly, the method of this invention lends itself to much enhanced quality control, inventory control and efficiency.

As an added, unexpected advantage of this invention, in one embodiment, the process efficiently removes, dilutes or denatures endogenous enzymes which otherwise might result in degradation or autolysis of bone matrix or tissue matrix. This is achieved by, for example, cyclically exposing the tissue to detergents, reducing agents (e.g. dithiothreitol, DTT, and the like known in the art for disruption of protein disulfide bonds), peroxide, isopropanol and the like as disclosed herein. As a result of the removal, dilution or destruction of the endogenous enzymatic activity, the need to freeze or freeze-dry the implant is reduced or eliminated, providing a significant advantage. It is a constant problem in the art to maintain implant tissues in a frozen state and it is slow and expensive to have to lyophilize (freeze-dry) tissue implants, including allograft, autograft or xenograft bone implants. By treating such tissues according to the present invention, and then storing the tissues in a sterile environment or packaging, the cost and time delays inherent in freezing and freeze-drying of tissues is eliminated.

As a further advantage of this invention, those skilled in the art will appreciate that the batch-to-batch variations that can occur when producing various tissues, either from the same donor, and in particular from different donors, may be substantially eliminated by pooling tissues according to the present methodology. Thus, in one specific example, demineralized bone matrix (DBM), produced either through an embodiment of the present invention or produced by a separate method, may be treated according to the present invention, and batches of DBM from different donors may then safely be pooled to produce pooled batches of DBM exhibiting consistent bone inducing properties for orthopedic, orthodontal or periodontal applications. Furthermore, those skilled in the art will appreciate that a further benefit of the present invention is that heretofore limited quantities of human tissue may be augmented by appropriately treating xenograft (animal) tissue to reduce its antigenicity, and then either using the thus treated xenograft alone or in combination with allograft, autograft or both.

It will further be appreciated from the present invention that desirable modifications to tissue properties may be achieved through implementation of various embodiments of this invention. Thus, for example, the instant invention includes the discovery that through

implementation of the instant methodology, bone matrix may be partially demineralized or completely demineralized, in a controlled fashion. Furthermore, the present invention has been found to be valuable in the partial demineralization of bone tissue using, for example, acetic acid or like organic acids, hydrochloric acid, or like inorganic acids, or chelating agents, such as theylenediamine-tetraacetic acid (EDTA), and the like. As a result, this methodology may be used to effectively alter the stress-fracture properties of the thus treated bone, which may then be stored frozen, freeze-dried or at room temperature, as disclosed herein above.

As a means of providing an overall concept of the flow of the method according to the present invention, the schematic provided according to figure 4 is described. In stage 1, donor materials are introduced into the donor tissue processing facility and are held in quarantine until the donor from which the tissue was derived is qualified. In stage 2, released donor materials are surface cleaned by debridement. In stage 3, surface cleaned tissue is machined to produce implants of the desired final dimensions, and are introduced into an automated cyclic perfusion passivation chamber according to the present invention. In stage 4, implants that have been passivated are introduced into their final packing containers and are terminally sterilized by gamma irradiation, vapor-phase exposure to decontaminants, and the like. Finally, in stage 5, the passivated and packaged grafts are stored and released after verification of the sterilization cycles.

In a further embodiment of this invention, a process layout similar to that shown schematically in figure 5 may be employed. According to this layout, a processing facility 500 shows three parallel and identical tissue processing facilities A-C. Starting in debridement chambers 510A-C, tissue to be treated according to this invention is cleaned and debrided of gross, adventitious and unwanted tissues. The cleaned tissue is then introduced, via sealable port 515A-C into a reaction chamber 310A-C, to which are connected all of the process control and input/output devices shown in figure 3. Upon completion of a cleaning cycle such as that defined according to Table I, tissue is removed via sealable port 516A-C. The cleaned tissue is sorted and stored in quarantine freezers 520A-C, until quality control demonstrates that the tissue is fit for further processing. The released tissues are then

transferred to graft-production rooms 530A-C, where final implant dimensioning and machining is conducted. Following production of the finally dimensioned implants, the thus processed tissues are loaded into reaction chambers 310'A-C via sealable port 535. Not shown but connected to reaction chamber 310'A-C are all the process control and  
5 input/output devices shown in figure 3. Following further cleaning, such as that defined according to Table II, the deeply sterilized tissues are removed from sealable port 536A-C, and are placed in final packaging. Terminal sterilization is conducted at stations 540A-C, and the terminally sterilized tissues are sealed in the final packaging. The sealed packages of terminally sterilized tissues are quarantined in freezers 545 until final quality control testing  
10 permits tissue release to surgeons.

It will be appreciated that while the process layout provided in figure 5 is preferred, it is suggestive only, and the process according to the instant invention may be conducted in other layout formats. Further, it will be appreciated that according to the layout shown according to  
15 figure 5, it is desirable for the level of ambient particulates to be reduced as tissue is processed through the various stages shown. Thus, while it is adequate for the chamber 510 to be of class 100,000 (100,000 particles per billion), it is desirable for areas 520 and 530 to be class 10,000 or lower. The final packaging area 540 is preferably about a class 1000 area.

20 Having generally and in detail described this invention, including its best mode, the following specific examples are provided to further exemplify, but not to limit, the disclosed invention, the scope of which should be reviewed by reference to the claims appended hereto and the equivalents thereof.

## 25 6.0 EXAMPLES

### EXAMPLE 1:

#### SPECIFIC CLEANING PROTOCOL FOR BONE:

30 In one preferred embodiment of this invention, an intact or machined bone implant is cleaned by treatment sequentially with povidone-I, water, ascorbic acid, TNBP/hydrogen peroxide.

water, diethanolamine, water, 6 M urea, water. The sequence of sonication, and pressure fluctuations is conducted according to the sequence defined in Table I or Table II. It will be appreciated from this disclosure, however, that a wide variety of different cleaning solutions and combinations thereof may be employed according to the method of this invention. For example, the cleaning solutions may include: sterile water, Triton X-100, TNBP, 3% hydrogen peroxide, a water-miscible alcohol, saline solution, povidone iodine, ascorbic acid solution, aromatic or aliphatic hydrocarbons, ethers, ketones, amines, urea, guanidine hydrochloride, esters, glycoproteins, proteins, saccharides, enzymes such as proteases (trypsin, pepsin, subtilisin), lipases, saccharases, and the like, gaseous acids or peroxides, and mixtures thereof. The process is conducted at ambient temperatures, elevated temperatures (eighty degrees centigrade) or decreased temperatures. Thus, cleaning of implants in a liquid nitrogen phase (negative eighty degrees centigrade) is contemplated by this invention.

#### EXAMPLE 2:

##### 15 EFFECTIVENESS OF PROCESS FOR IMPLANT CLEANING:

Figure 6 is a photograph of a whole humerus after being treated according to the method of this invention; a coronal section through the head of the humerus reveals the cleanliness of the inner bone matrix.

#### EXAMPLE 3:

##### 20 EFFECTIVENESS OF PROCESS FOR CLEANING OF HARD TISSUE AND SOFT TISSUE IMPLANTS:

25 Figure 7 is a photograph of an intact knee, including proximal tibia, distal femur and patella, along with articulating tendons and ligaments, before treatment according to the method of this invention.

Figure 8 is a photograph of the intact knee shown in figure 7, after treatment according to the method of this invention, showing cleanliness of the implant, and preservation of the articulating tendons and ligaments.

In light of these results, it will be apparent that implant materials and tissues that may be effectively cleaned according to this procedure include, but are not limited to metallic implants, synthetic implants, ceramic implants, allograft, autograft or xenograft tissues. Such tissues may be selected from tissues comprising: cortical bone, cancellous bone, fascia, whole joints, tendons, ligaments, dura, pericardia, heart valves, veins, neural tissue, submucoal tissue, (e.g. intestinal tissue), and cartilage. Essentially any implantable material having an internal matrix that is required to be cleaned may be treated to advantage according to the method of this invention.

10 EXAMPLE 4:

EFFECTIVENESS OF THE PROCESS OF THIS INVENTION FOR DEEP CLEANING OF IMPLANTS:

Figure 9 is a photograph of an anterior aspect of a coronal section through the proximal femur prior to treatment according to the method of this invention.

Figure 10 is a photograph of the posterior aspect of the coronal section through the proximal femur shown in figure 9, after treatment according to the method of this invention.

20 Figure 11 is a photograph of the sections shown in figures 9 and 10, side-by-side, demonstrating the effectiveness of the treatment according to this invention for removal of endogenous substances and deep, penetrating implant cleaning.

25

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EXAMPLE 5:DEMONSTRATION OF THE ABILITY OF THE PROCESS OF THIS INVENTION TO  
ACHIEVE DEEP INTERPENETRATION OF CLEANING SUBSTANCES AND  
IMPREGNATION OF IMPLANTS WITH DESIRABLE BIOLOGICALLY ACTIVE  
5 SUBSTANCES:

Figure 12 is a photomicrograph of an osteon from cortical bone without fluoroisothiocyanate (FITC) fluorescent dye treatment (100X magnification).

- 10 Figure 13 is a photomicrograph of an osteon from cortical bone after inclusion of FITC in one of the cleaning solutions of this invention, demonstrating deep interpenetration of the dye into the smallest of bone interstices - bright green areas indicating structures containing FITC, including the large haversian canal (right margin) and smaller satellite lacunae (central area; 100X magnification).

15

- These photomicrographs demonstrate that the FITC dye is forced into the smallest implant interstices, thereby revealing the ability to achieve deep penetrating cleaning. In addition, these photomicrographs demonstrate that biologically active substances, such as antibiotics, antiviral compounds, anti-inflammatory compounds, growth factors, osteo-inductive
- 20 substances (e.g. bone morphogenetic protein, cartilage derived morphogenetic protein, natural or recombinant, and the like), when included in solutions employed according to the method of this invention, may be effectively imbedded deeply into implant materials. Thus, biologically active substances for permeation into implants, according to the method of this invention are selected from the group consisting of bone morphogenetic protein, tissue
- 25 growth factor beta or member of the tissue growth factor beta family of growth factors, cartilage derived morphogenetic proteins I or II or both, and any related cartilage derived growth factors, angiogenic factors, platelet derived growth factor. Any of the proteins selected for permeation into implants may be natural or recombinant proteins.

EXAMPLE 6PROCESS FOR PRODUCING REDUCED ANTIGENICITY BONE

A solution of 0.1 to 0.5N Acetic or other mild acid (EDTA, Citric, Formic, dilute HCl, H<sub>3</sub>PO<sub>4</sub> etc.) is contacted under cyclic elevated and reduced pressure for 20 minutes. This removes 2-3% of the calcium in the bone, making the modulus go down for increased strength (torsional and sheer) and exposes some of the collagen so growth factors can more easily attach. It also helps to remove some of the protein bound to the mineral. Finally, demineralization has been shown to reduce the immunogenicity of bone. The thus treated bone was then defatted with 99% isopropanol, hexane or the like in cyclic pressure treatment as previously described, followed by TNBP/Tritonix-100, UREA, GuHCl, or the like, followed by several rinse cycles and addition of growth factors, nucleic acids or the like. The thus treated implant is then directly implanted or is frozen or lyophilized for subsequent implantation.

Treatment of the graft at this or a different stage of the process with acetic or other acid (acetic acid, hydrochloric acid, hydrofluoric acid, phosphoric acid, citric acid, formic acid, butyric acid, or mixtures thereof), is useful to produce a slightly demineralized bone graft of reduced antigenicity, with concomitant effects on the graft strength, growth factor binding capacity, resorbability, removal of acid soluble proteins and loosely associated collagens, and further reductions in antigenicity. We have discovered that reduction in the mineral content of between about 0 to about 25%, or between about 1 to about 10% or even as little as 1% to 5% as compared to the normal bone mineral content confers significant advantages on the reduced antigenicity bone composition. The guiding principle in the level of demineralization that should be conducted is to remove as much mineral as possible, without at the same time reducing the compressive strength of the bone. In order to achieve uniform, limited demineralization, the bone is preferably contacted for about thirty minutes with acid, e.g. 1% acetic acid, with the acid being introduced into an evacuated chamber containing the bone, such that uniform acid penetration occurs. If inorganic acids are used, e.g. HCl, the acid strength or period of acid contact should be reduced, to avoid complete demineralization of the bone. We have found that limited removal of even as little as 1-2% of the normal bone mineral content results in greater

predictability (reduced scatter in shear stress measurements) in the strength of bone grafts thus treated. Additional benefits of this treatment include dissolution of acid soluble proteins, efficient removal of SDS or other ionic solvents or contaminants, enhanced binding of growth factors, reduced time to remodel implanted bone, and further reduction in antigenicity.

5

#### EXAMPLE 7

#### ENHANCED STERILIZATION UPON IMPLEMENTATION OF THE METHOD OF THIS INVENTION

- 10 An essential first step in developing allograft tissues that are able to prevent infection by delivering a prophylactic dose of antibiotic is the minimization of bioburden contained on the graft. Factors that are able to enhance perfusion of the tissue are also beneficial in the drug loading phase of production. These steps, however, cannot be implemented without investigation into their effects on the strength of the graft. The following data addresses the issues of
- 15 sterilization, drug perfusion, the biomechanical effects of processing, and provides data regarding drug release profiles. Together, these studies demonstrate the feasibility of the process of this invention.

#### Calculation of the D-value for 6% hydrogen peroxide with ultrasonic energy

20

- Most sterilization processes are detrimental to the structural and/or biological properties of allograft bone (Rasmussen TJ, Feder SM, Butler DL, Noyes FR. The effects of 4Mrad of gamma irradiation on the initial mechanical properties of bone-patellar tendon-bone grafts. *Journal of Arthroscopic and Related Surgery*. 1994;10:188-197; Thoren K, Aspenberg P.
- 25 Ethylene oxide sterilization impairs allograft incorporation in a conduction chamber. *Clinical Orthopaedics and Related Research*. 1995;318:259-264; USFDA. Required Biocompatibility Training and Toxicology Profiles for Evaluation of Medical Devices. Rockville, MD: Department of Health and Human Services, Center for Biologics Evaluation and Research; 1995). Therefore, a sterilization process with minimal effect on these properties would be
- 30 beneficial in the production of drug loaded allografts. It has been suggested that ultrasonic energy enhances the bacteriacidal and sporicidal effects of hydrogen peroxide (Block S.

- Disinfection, Sterilization and Preservation. 4th ed. New York: Lea & Feiberger; 1991). In this study, a reduction in the D-value for the *Bacillus sterothermophilus* ( $10^6$ ) spore was calculated for samples treated with 6%  $H_2O_2$  in the presence and absence of ultrasonic energy. This spore was chosen due to its well characterized and accepted resistance to peroxide sterilization. Samples were treated with 2 ml of 6%  $H_2O_2$  at 45°C over a given range of time and the reaction was stopped with the addition of sterile water and transferred to trypticase soy broth for culture at 56°C. All samples were preformed in triplicate.

Treatment	Treatment Time (min)																					Aprox. D- value						
	0			5			10			15			20			30			40				50			60		
Sonication	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<1.66	
No sonication	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	> 10

- Table III.** Comparison of spore inactivation with 6% hydrogen peroxide in the presence and absence of ultrasonic energy. Positive (+) results were identified by turbidity of the media and confirmed by subculturing the broth to solid media. Negative (-) results were determined by the media retaining clarity over the seven days of incubation.
- The D-value obtained for the samples run in the presence of ultrasonic energy was 0.83 - 1.66 minutes (Table III). This compared favorably to the D-value obtained for the samples run in the absence of ultrasonic energy (>10 min). This reduction in the time required for the inactivation of spores allows for a practical method of sterilizing allografts without adversely effecting their desired attributes.

20

#### Effects of residual lipids on the antimicrobial activity of hydrogen peroxide

- This study examined the potential for residual lipids carried on human allograft tissue to reduce the effectiveness of hydrogen peroxide at inactivating *Bacillus sterothermophilus* spores. Whole femora and tibiae were surgically removed from human cadaveric bone donors and debrided of extraneous soft tissue. The bone tissue was then ground yielding a fine bone slurry with the consistency an oily paste. A section of this bone paste was removed and thoroughly cleaned of

residual fat content using warm (45°C) acetone. The cleaned bone slurry was mixed with the untreated bone paste in various weights to yield samples containing 0, 10, 30, and 60% residual fat. All samples were verified using an exhaustive liquid extraction (hexane) with gravimetric analysis. One gram of each sample was added to test tubes containing a  $10^6$  inoculum of spores and was treated with 2 ml of 6% hydrogen peroxide (40°C) in the presence of ultrasonic energy (45Khz) for multiple time points. Each time point was run in triplicate. The reaction was stopped for a given time point by the addition of 20 ml of sterile water and the inoculum was transferred to trypticase soy broth for a seven day incubation at 56°C. Growth was determined by the presence of turbidity. Controls included, sterile water (negative control), inoculated water control (positive control), and  $H_2O_2$  without bone tissue.

Treatment	Treatment Time (min)																								Aprox. D- value			
	0			5			10			15			20			30			40			50				60		
Neg Control	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	NA
Pos Control	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	> 10
No bone	+	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1.66
0% fat	+	+	+	+	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2.5
10% fat	+	+	+	+	+	+	+	+	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.33
30% fat	+	+	+	+	+	+	+	+	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.33
60% fat	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	-	-	-	-	-	-	-	-	-	6.66

**Table IV.** Approximate D-values for *B. sterothermophilus* as a function of residual fat content remaining in a homogenized bone slurry, when sterilized in a 6% hydrogen peroxide solution at 42°C in the presence of ultrasonic energy. Positive (+) results were identified by turbidity of the media and confirmed by subculturing the broth to solid media. Negative (-) results were determined by the media retaining clarity over the seven days of incubation.

The results of the study indicate that lipids prolong the contact time required for the complete inactivation of *B. sterothermophilus* spores (Table IV). The data generated from this study demonstrates that removing endogenous lipids from cortical bone increases sterilization efficiency. In addition, by lowering the contact time required for sterilization, the potential adverse effects of the sterilant (reduction in tissue strength) are minimized.

A model for demonstrating sterilization efficacy in human cortical bone

Definitively demonstrating the efficacy of a liquid sterilization process for human cortical bone has historically been difficult. In this experiment the use of a machined segment of human cortical bone carrying a *B. sterothermophilus* ( $10^6$ ) biological indicator was evaluated for its potential uses to support claims of allograft sterility (Fig. 14). The device was prepared by cutting a cortical segment from the anterior ridge of the tibia in a young male cadaveric bone donor. This segment represents the thickest portion of cortical bone encountered in the body and is thus the most difficult to penetrate and sterilize. A cylindrical hole was machined into the end of the bone, longitudinal to the axis of the bone. A second segment of cortical bone was machined into a cylindrical pin, slightly oversized as compared with the diameter of the hole. A partial slit was cut into the pin, allowing a biological indicator to be placed therein. The pin was then forced under compression into the machined hole and exposed to the sterilization process. A control was also run using only sterile water to evaluate whether the spores appreciably were being washed off the strip. In addition, a tracing dye was used to evaluate the path of the liquid through the device.

The results from the controls indicate that the extent of washout that occurred was minimal and did not significantly affect the introduced bioburden. The samples exposed to the sterilization process did not demonstrate growth after incubation for seven days in TSB indicating process efficacy. In addition, the path taken by the liquid, as evaluated by the tracing dye was uniform and did not preferentially infiltrate the space between the hole and the pin.

Effects of preservation and sterilization treatment on allograft biomechanics

The purpose of this study was to identify the effects of preservation and sterilization processes on the strength of cortical bone. This work is essential in determining what treatments are acceptable for the graft to be exposed to during the processing and drug loading steps of production. Treatments that significantly reduce the strength must be avoided in the graft preparation/drug loading process.

Femora and tibiae were isolated from 18 different human cadaveric donors and machined with a lathe into 203 pins that were 4.0mm in diameter and 10mm in length. The pins were then

exposed to treatment that may be used in the graft preparation or drug loading process. Following treatment the ultimate failure load under axial compression was determined. Axial compression testing was adapted from ASTM D695-91 and performed on an MTS 858 (Eden Prairie, MN) servohydraulic mechanical test apparatus (American Society for Testing and Materials. ASTM D 695-91: Standard Test Method for Compressive Properties of Rigid Plastics. Philadelphia, PA: ASTM; 1991).

The results demonstrate that pressure assisted hydrogen peroxide perfusion did not reduce the compressive strength of the cortical bone pins (Fig. 15), which shows treatment groups and results of ultimate strength during axial compression testing: Control - a group consisting of no preservation or sterilization treatments was included; Lyophilization - freeze drying to reduced the residual moisture content of the graft to below 2%; Gamma irradiation - a sterilizing dose of 3.5 Mrad; PAHP - Pressure assisted hydrogen peroxide treatment employed exposing the tissue to a 6% solution of hydrogen peroxide at 40°C for 30 min under oscillating pressure and ultrasonic energy. As can be seen, gamma irradiation significantly reduced the strength of the tissue and therefore an alternative method should be sought for terminal sterilization of the graft. Lyophilization, contrary to expectation, significantly increased the axial strength of the tissue. This is a promising result as lyophilization is hypothesized to be a critical component to maximize the amount of drug that can be loaded into bone.

20

#### Effects of atmospheric pressure differentials on cortical bone perfusion

Complete penetration of the internal matrix of cortical bone is necessary for homogeneous drug loading. This study examined the influence of both negative and positive pressure on the penetration of various solutions into cortical bone. Cortical bone cylinders were prepared as described above. Each cylinder was then dried in a vacuum oven for 24 h at 60°C. The specimens were weighed prior to the introduction of water, and at regular intervals throughout the run, in order to determine their percent rehydration. Reconstitution conditions were (1) vacuum for 1 min; (2) positive pressure for 1 min; (3) negative pressure for 30 sec followed by positive pressure for 30 sec; (4) reconstitution under normal atmospheric pressure.

30

The initial (2.5 min) time point showed a significant increase in rehydration for both the positive and negative pressure treatments as compared with standard atmospheric pressure (Fig. 16, Left Panel – The rehydration of cortical bone under different atmospheric pressures. Positive - 100 PSI, Negative - <25 inHg, Neg/Pos - negative pressure followed by positive pressure; Right Panel - Enlarged view of the earliest time points). In addition, the negative to positive treatment showed greatest increase in rehydration and was significant to all other treatments at this timepoint. This data demonstrates the effectiveness of differential pressure to induce tissue matrix penetration.

#### 10 Release Profiles of Solutions from Human Cortical Bone

This study examined the release rates of compounds of various molecular weights from standardized cortical bone segments. It was hypothesized that the release profile of a solution from cortical bone would follow a bi-exponential curve relating to the microarchitectural arrangement of the matrix (Gibaldi M, Perrier D, Pharmacokinetics, Marcel Dekker, New York, New York, 1982). The objective was to provide preliminary *in vitro* data of how cortical bone behaves as a release matrix. Since several potential drugs of interest are large proteins, the effects of a high molecular weight protein on the release profile was included (Gombotz WR, Pankey SC, Bouchard LS, Ranchalis J, Puolakkainen P, Controlled release of TGF-beta 1 from a biodegradable matrix for bone regeneration. *J Biomater Sci Polym Ed* 1993;5(1-2):49-63; Guicheux J, Grimandi G, Trecant M, Faivre A, Takahashi S, Daculsi G, Apatite as a carrier for growth hormone: in vitro characterization of loading and release. *J Biomed Mater Res* 1997 Feb;34(2):165-70).

Cortical bone segments were machined from diaphyseal sections of human cadaveric femora and tibiae. The bone segments were then cleaned and impregnated with compounds of various molecular weights. The samples were then placed in baths that maintained sink conditions and the release of drug over time was measured. In addition, the pattern of drug remaining in the matrix was examined histologically.

30 Four compounds of varying molecular weight were studied. 1) FITC (MW = 389 D ) at a concentration of 0.05 M in Tris buffered saline with a pH of 8-8.5 2) FITC-dextran complex

(MW = 10 kD) at a concentration of 0.05 M in Tris buffered saline with a pH of 8-8.5 3) FITC-dextran complex (MW = 20 kD) at a concentration of 0.05 M in Tris buffered saline with a pH of 8-8.5 4) bovine hemoglobin, Hb, (MW = 68 kD) in saline at a concentration of 0.025 g/mL.

The amount of each model compound loaded was determined by the calculated mass gain  
5 observed in each cylinder. The appearance of the compounds in the surrounding medium was subtracted from the loaded amount allowing for a concentration vs. time profile to be plotted that gave the % remaining inside the matrix on the y-axis. (Figure 17)

The results of the uncomplexed FITC impregnated bone using this preparation support the  
10 proposed model, however, there were significant limitations to this study. Only the uncomplexed FITC released rapidly enough from the matrix to gather meaningful data. The hemoglobin liberated from the bone could not be accurately assessed due to bacterial degradation (hemoglobin is a potential nutrient source for most bacteria). The FITC, also spontaneously degraded, making prolonged analysis difficult. Potential remedies for future study include closed  
15 systems forbidding the introduction of bacteria, the use of antibacterial preservatives, and the use of compounds more resistant to spontaneous degradation.

7.0. What is Claimed Is:

- 1 1. A process for tissue production comprising pooling of tissue, other than blood tissue,  
2 from a plurality of donors, and processing the thus pooled tissue to reduce or eliminate  
3 pathogenic or potentially pathogenic organisms.
- 1 2. The process according to claim 1 comprising further processing the pooled tissue in  
2 order to produce an implant for implantation into a recipient in need thereof.
- 1 3. An implant cleaning, perfusion and passivation process which comprises cyclic  
2 exposure of said implant to increased and decreased positive or negative pressures, or  
3 both.
- 1 4. The process according to claim 3 wherein said cyclic exposure of said implant to  
2 increased and decreased pressures occurs in the presence of a cleaning solution.
- 1 5. The process according to claim 4 wherein said process occurs, at least in part, with  
2 concurrent exposure of said implant to sonication.
- 1 6. The process according to claim 4 wherein said cycling between increased and  
2 decreased pressures occurs rapidly according to a defined program.
- 1 7. The process according to claim 6 wherein said implant is selected from the group  
2 consisting of porous metallic, ceramic or synthetic materials, or allograft, autograft or  
3 xenograft tissue selected from: cortical bone, cancellous bone, fascia, whole joints,  
4 tendons, ligaments, dura, pericardia, heart valves, veins, neural tissue, submucoal  
5 tissue, and cartilage.
- 1 8. The process according to claim 7 wherein said cycling of increased and decreased  
2 pressures is achieved through an oscillation of pressure in a chamber containing said  
3 implant in the presence of a cleaning solution.

- 1    9.    The process according to claim 8 comprising:  
2            a. rapidly evacuating said chamber containing said implant;  
3            b. rapidly backfilling said chamber with a cleaning solution or a mixture of  
4            cleaning solutions;  
5            c. pressurizing said chamber; and  
6            d. rapidly cycling between steps (a) and (c), for between about 1-150 cycles,  
7            maintaining a temperature of between about 35-40 degrees centigrade.  
8            with optional application of ultrasonic energy.
- 1    10.   The process according to claim 9, further comprising the step of:  
2            e. machining said implant to final dimensions if not previously so machined.
- 1    11.   The process according to claim 10, further comprising the step of:  
2            f. conducting steps (a)-(d) using the same or a different cleaning solutions.
- 1    12.   The process according to claim 11, wherein step (f) is conducted under elevated or  
2            reduced temperatures.
- 1    13.   The process according to claim 12 further comprising placing said implant into a  
2            sterile, sealable package, and performing a surface decontamination step prior to or  
3            after sealing said package.
- 1    14.   The process according to claim 9 wherein said implant is a tissue derived from a  
2            single donor.
- 1    15.   The process according to claim 9 wherein said implant is a tissue derived from a pool  
2            of donor tissues.
- 1    16.   The process according to claim 9 wherein said cleaning solution is selected from the  
2            group consisting of: sterile water, Triton X-100, TNBP, 3% hydrogen peroxide, a  
3            water-miscible alcohol, saline solution povidone iodine, ascorbic acid solution,

- 4 aromatic or aliphatic hydrocarbons, ethers, ketones, amines, urea, guanidine  
5 hydrochloride, esters, glycoproteins, proteins, saccharides, enzymes, gaseous acids or  
6 peroxides, and mixtures thereof.
- 1 17. The process according to claim 14 wherein said tissue is pooled with similarly treated  
2 tissue from at least one other donor, and is further cleaned by conducting steps (a)-(d)  
3 using the same or different cleaning solutions.
- 1 18. The process according to claim 17 wherein said cleaning solution is selected from the  
2 group consisting of 6% hydrogen peroxide, 1% sodium hypochlorite, 6M urea, 4M  
3 guanidine hydrochloride, 1-N sodium hydroxide, isopropanol, water, saline and  
4 mixtures thereof.
- 1 19. The process according to claim 18 wherein said process is conducted at a temperature  
2 between about thirty-seven (37) degrees centigrade and about eighty (80) degrees  
3 centigrade.
- 1 20. The process according to claim 19 wherein said process is conducted at about 50-60  
2 degrees centigrade.
- 1 21. The process according to claim 15 wherein said tissue is pooled with similarly treated  
2 tissue from at least one other donor, and is cleaned by conducting steps (a)-(d) using  
3 the same or different cleaning solutions.
- 1 22. The process according to claim 21 wherein said cleaning solution is selected from the  
2 group consisting of 6% hydrogen peroxide, 1% sodium hypochlorite, 6M urea, 4 M  
3 guanidine hydrochloride, 1 N sodium hydroxide, isopropanol, water, saline and  
4 mixtures thereof.

- 1 23. The process according to claim 22 wherein said process is conducted at a temperature  
2 between about thirty-seven (37) degrees centigrade and about eighty (80) degrees  
3 centigrade.
- 1 24. The process according to claim 23 wherein said process is conducted at about 50-60  
2 degrees centigrade.
- 1 25. The process according to claim 1 wherein the thus treated implant is packaged in a  
2 sterile environment upon performing a surface or terminal decontamination step,  
3 preferably with the implant in its final packaging.
- 1 26. The process according to claim 3 wherein the thus treated implant is packaged in a  
2 sterile environment upon performing a surface or terminal decontamination step,  
3 preferably with the implant in its final packaging.
- 1 27. The process according to claim 26 wherein said surface or terminal decontamination  
2 step comprises contacting the implant with vapor-phase  $H_2O_2$ , peracetic acid,  
3 exposure to gamma irradiation, electron beam irradiation, exposure to ethylene oxide,  
4 or a mixture of these.
- 1 28. The process according to claim 3 wherein the cycling of pressures is conducted at  
2 pressures above one atmosphere, below one atmosphere, or both.
- 1 29. The process according to claim 28 wherein vacuum pressures of between about 60 to  
2 100 torr and the vapor pressure of the solutions in contact with the implant and  
3 backfill pressures of between about 6-10 atmospheres are employed, and wherein  
4 concurrent sonication occurs throughout or at specific stages in said cycling of  
5 pressures.
- 1 30. The process according to claim 3 wherein the implant is perfused or coated with a  
2 bioactive substance.

- 1 31. The process according to claim 30 wherein said bioactive substance is a drug or a  
2 growth factor.
- 1 32. The process according to claim 31 wherein said growth factor is selected from the  
2 group consisting of a bone morphogenetic protein, tissue growth factor beta or  
3 member of the tissue growth factor beta family of growth factors, cartilage derived  
4 morphogenetic proteins I or II or both, and any related cartilage derived growth  
5 factors, angiogenic factors, and platelet derived growth factor, or nucleic acid actively  
6 encoding growth factors, finely ground hydrated DBM, bone marrow or bone marrow  
7 extract, or mixtures thereof.
- 1 33. The process according to claim 3 which results in any one or all of:  
2 (a) between about a one (1) to twelve (12) log reduction in bacterial contamination;  
3 (b) between about a one (1) to fifteen (15) log reduction in enveloped virus contamination;  
4 (c) up to about a five (5) log reduction in non-enveloped virus contamination;  
5 (d) between about a two (2) to ten (10) fold reduction in endotoxin;  
6 (e) maintenance of implant or graft biologic and biomechanical properties;  
7 (f) absence of tissue toxicity due to cleaning solutions used; and  
8 (g) reduced implant antigenicity.
- 1 34. An implant treated according to the process of claim 1.
- 1 35. An implant treated according to the process of claim 3.
- 1 36. The implant of claim 35 wherein said implant is composed of a porous metal,  
2 ceramic, synthetic polymer, allograft, autograft or xenograft.
- 1 37. The implant according to claim 34 which is composed of bone and which, as a result  
2 of being treated by said process of claim 1, has reduced antigenicity.

- 1 38. The implant according to claim 34 stored at ambient temperature, lyophilized or  
2 frozen.
- 1 39. An apparatus for conducting the process according to claim 3 comprising: a  
2 programmable logic controller to activate or deactivate valves or solenoids 301a-h at  
3 pre-determined times in the cleaning cycle; a sealable reaction chamber 310 into  
4 which a tissue to be cleaned is placed; a chemical mixing tank 330 from which  
5 cleaning fluids are introduced into said sealable reaction chamber 310; a vacuum  
6 receiver tank 360, linkable to said reaction chamber 310 so that essentially  
7 instantaneous vacuum of known dimensions may be applied to the reaction chamber  
8 310, without the need for a vacuum pump to gradually develop negative pressure in  
9 said reaction chamber 310; a source of sterile water, physiological saline, or like  
10 aqueous solution; a pressure tank 380 which is pressurized by a compressor of filtered  
11 gas, to retain sterility in the reaction tank 310.
- 1 40. A process facility for conducting the process according to claim 3, comprising at least  
2 one tissue debridement chamber 510, wherein tissue to be cleaned is debrided of  
3 gross, adventitious and unwanted tissues; at least one sealable port 515 into a reaction  
4 chamber 310 for cyclic pressurization and depressurization of said tissue in the  
5 presence of at least one cleaning solvent; at least one graft-production room 530,  
6 wherein final implant dimensioning and machining is conducted; at least one reaction  
7 chamber 310' into which dimensioned implant is inserted via at least one sealable port  
8 535 for cyclic pressurization and depressurization of said dimensioned implant in the  
9 presence of at least one cleaning solution; at least one sealable port 536 for removal of  
10 cleaned implant; and at least one terminal sterilization and packaging station 540 for  
11 sterile packaging of cleaned implant.
- 1 41. An implant for insertion into a patient comprising biologically active substances,  
2 selected from nucleic acids, proteins, peptides, antineoplastic compounds,  
3 antiinflammatory compounds, and antibiotic compounds, which are deeply  
4 interpenetrated into the matrix of said implant.

- 1 42. A method for treating diseased tissue which comprises harvesting said tissue or a  
2 portion thereof, cyclically exposing said tissue *ex vivo* to elevated and reduced  
3 pressures, optionally in the presence of cleaning solutions and optionally in the  
4 presence of sonic energy, optionally perfusing said tissue with biologically active  
5 substances, and reimplanting the thus-treated tissue.
- 1 43. A method for making an implant which comprises combining tissue or tissue and  
2 synthetic material treated according to the method of claim 1 to form a composite  
3 implant.
- 1 44. A method for making an implant which comprises combining tissue or tissue and  
2 synthetic material treated according to the method of claim 3 to form a composite  
3 implant.
- 1 45. A method for preparing a tissue for implantation into a recipient in need thereof which  
2 comprises treating the tissue so as to reduce, eliminate or dilute endogenous enzymes  
3 present in said tissue such that the thus treated tissue may be stored in a sterile  
4 container without the need for freeze-drying or freezing of the thus treated tissue.
- 1 46. The method according to claim 3 wherein said tissue is bone which comprises  
2 treatment of the bone with acid to partially demineralize the bone.
- 1 47. The method of claim 3 which comprises removing endogenous lipids from a bone  
2 tissue.
- 1 48. The method of claim 47 which further comprises lyophilization of the thus treated  
2 bone tissue.
- 1 49. The method according to claim 48 which further comprises reconstituting the  
2 lyophilized bone in a solution containing a biologically active factor the delivery of  
3 which is desired upon implantation of the reconstituted bone into a recipient in need  
4 thereof.

- 1 50. The method according to claim 3 wherein said implant is bone comprising contacting  
2 said bone with acetic acid, hydrochloric acid, hydrofluoric acid, phosphoric acid, citric  
3 acid, formic acid, butyric acid, or mixtures thereof, such that said bone is  
4 demineralized to an extent between about 0 to 25% of the normal bone mineral  
5 content, and is optionally pooled, before, during or after said contacting, with  
6 similarly treated bone tissue from the same or a different donor or species.
- 1 51. The method according to claim 50 wherein said bone is demineralized to an extent  
2 between about 1 to 10% of the normal bone mineral content.
- 1 52. The method according to claim 51 wherein said bone is demineralized to an extent  
2 between about 1 to about 5% of the normal bone mineral content.
- 1 53. An implant produced according to the method of claim 50.
- 1 54. The process according to claim 1 wherein said tissue is DBM.
- 1 55. A composition comprising a pool of DBM produced according to the process of claim  
2 54.
- 1 56. The process according to claim 1 wherein said tissue comprises autograft tissue,  
2 allograft tissue, xenograft tissue or combinations thereof.
- 1 57. An implant produced according to the process of claim 56.

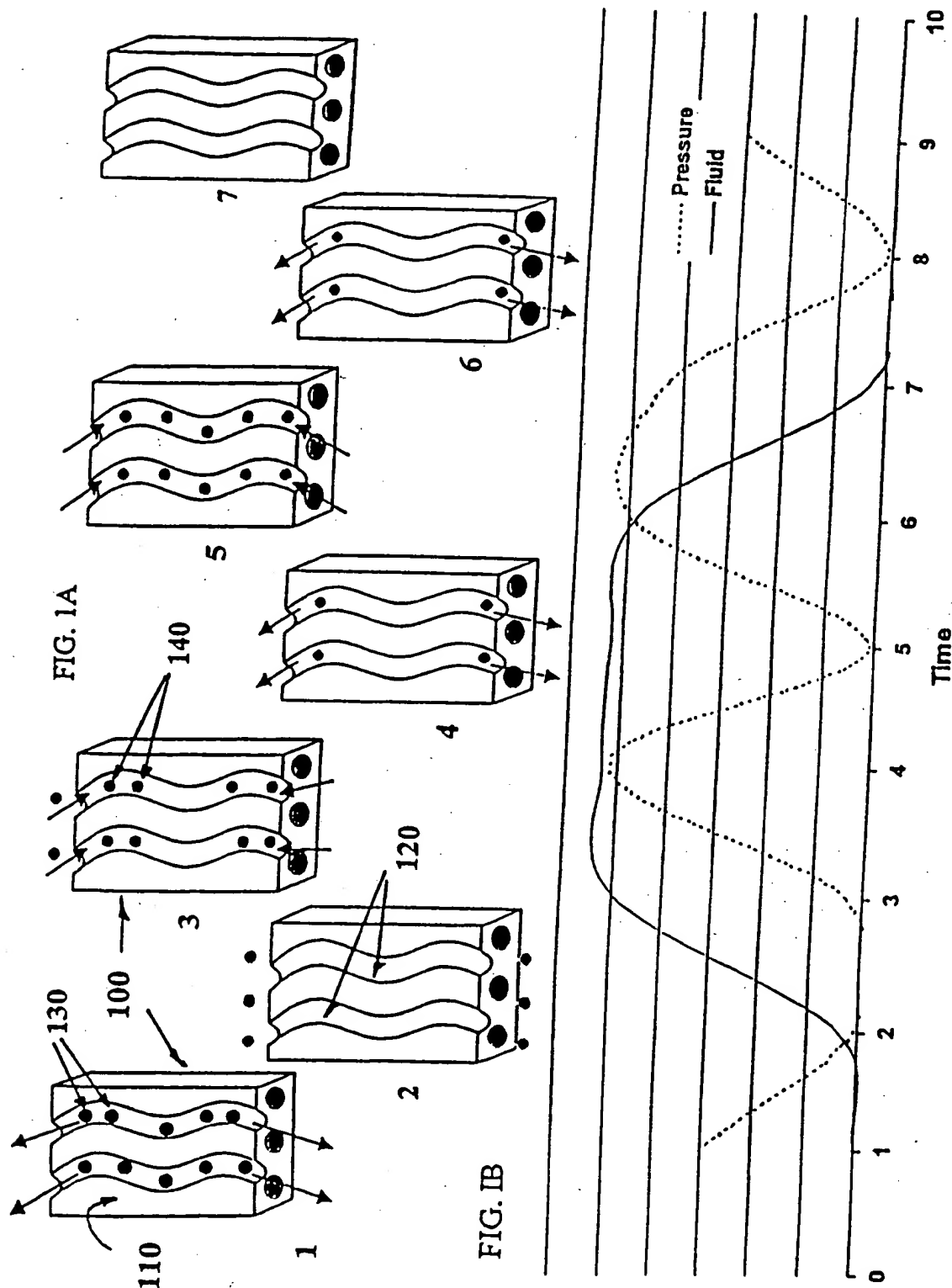


FIGURE 1

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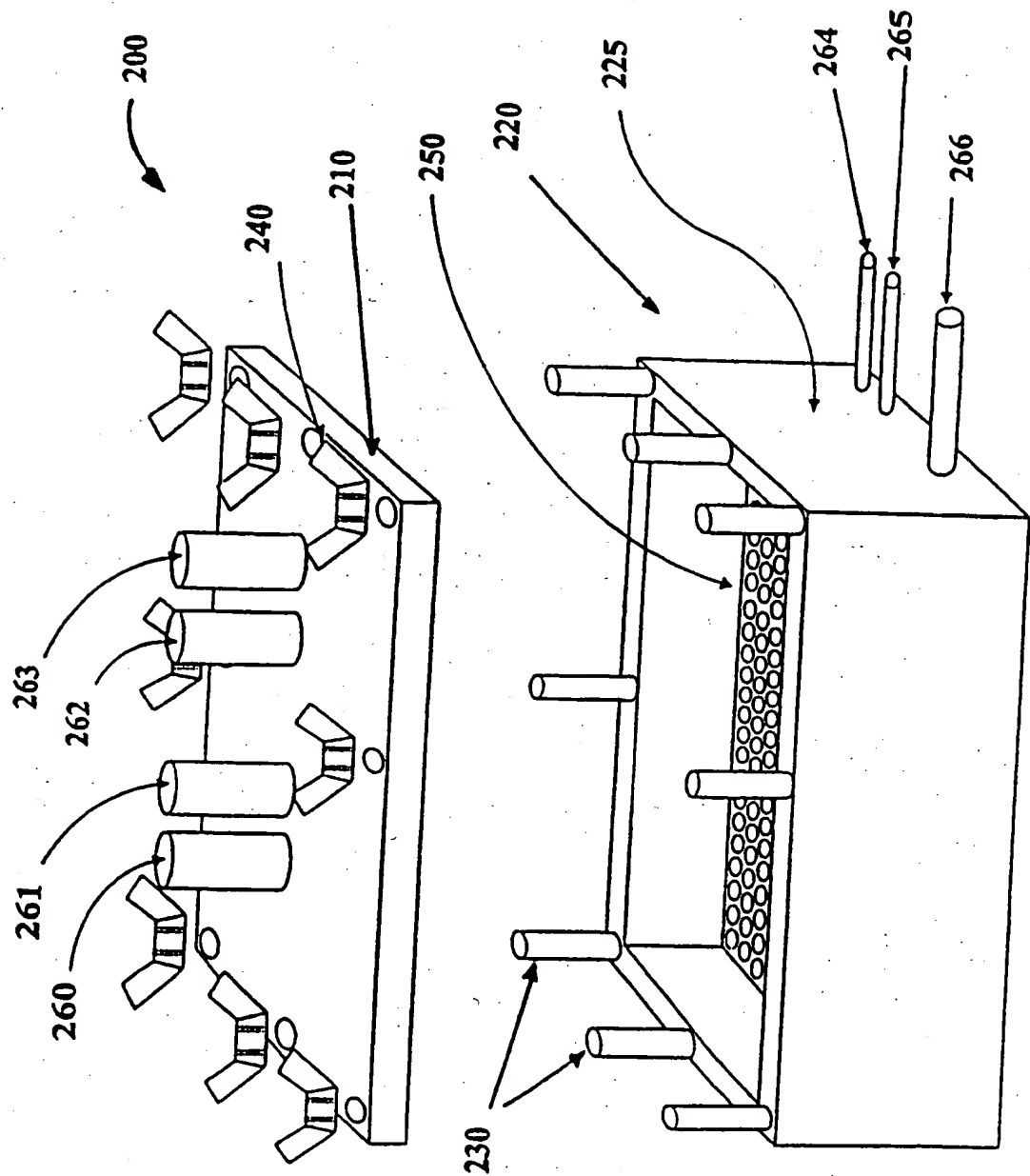
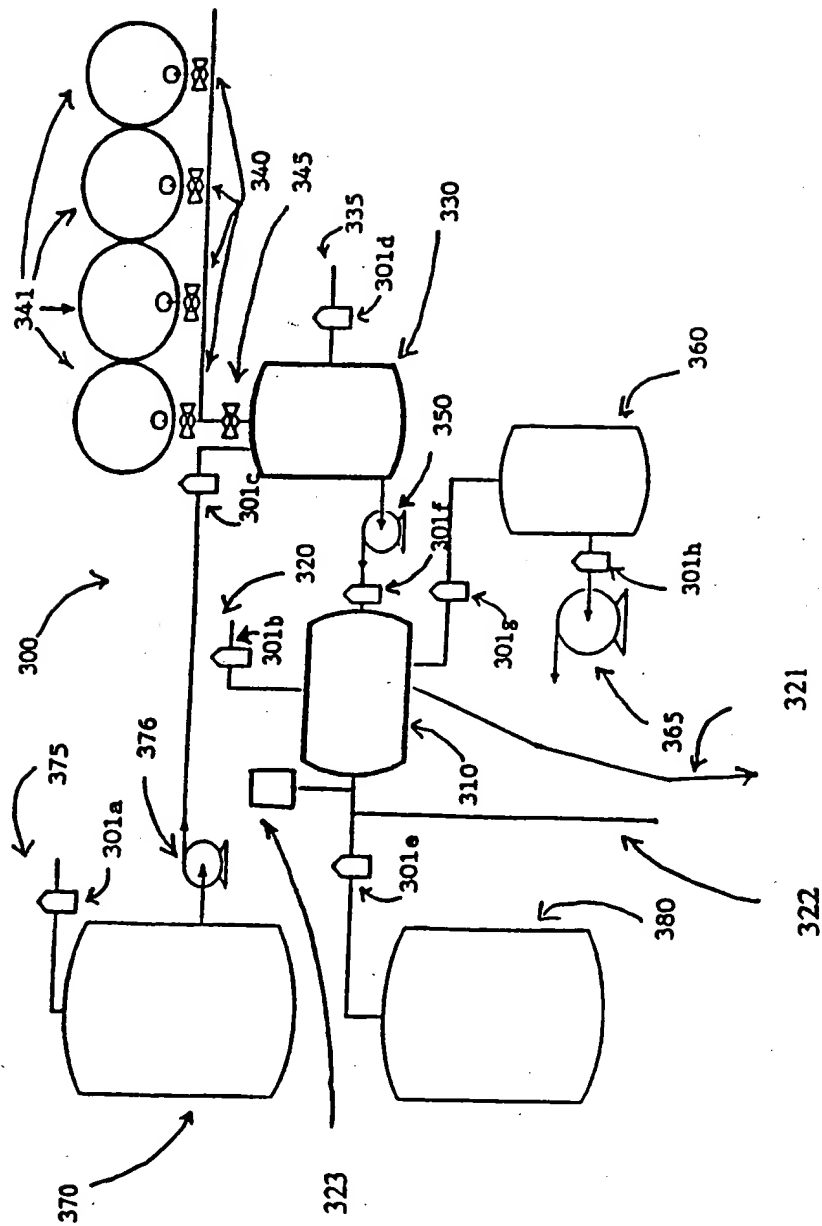


FIGURE 2

SUBSTITUTE SHEET (RULE 26)



### FIGURE 3

**SUBSTITUTE SHEET (RULE 26)**

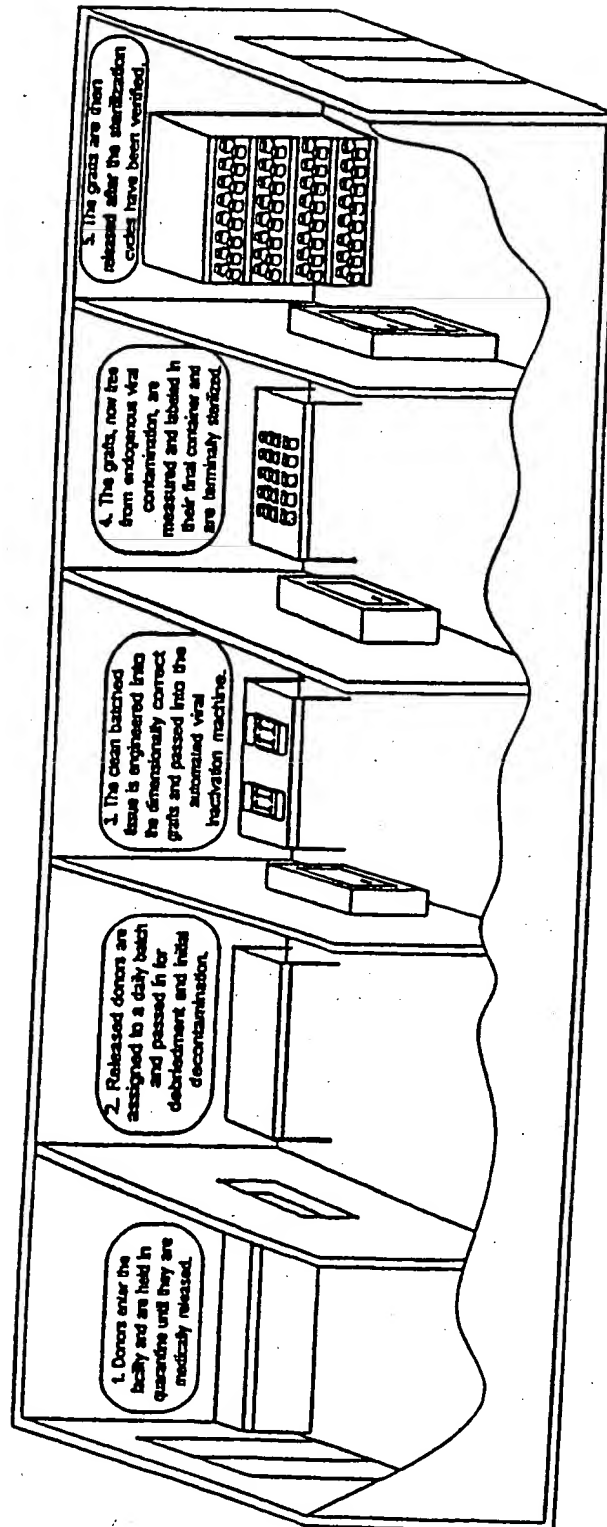
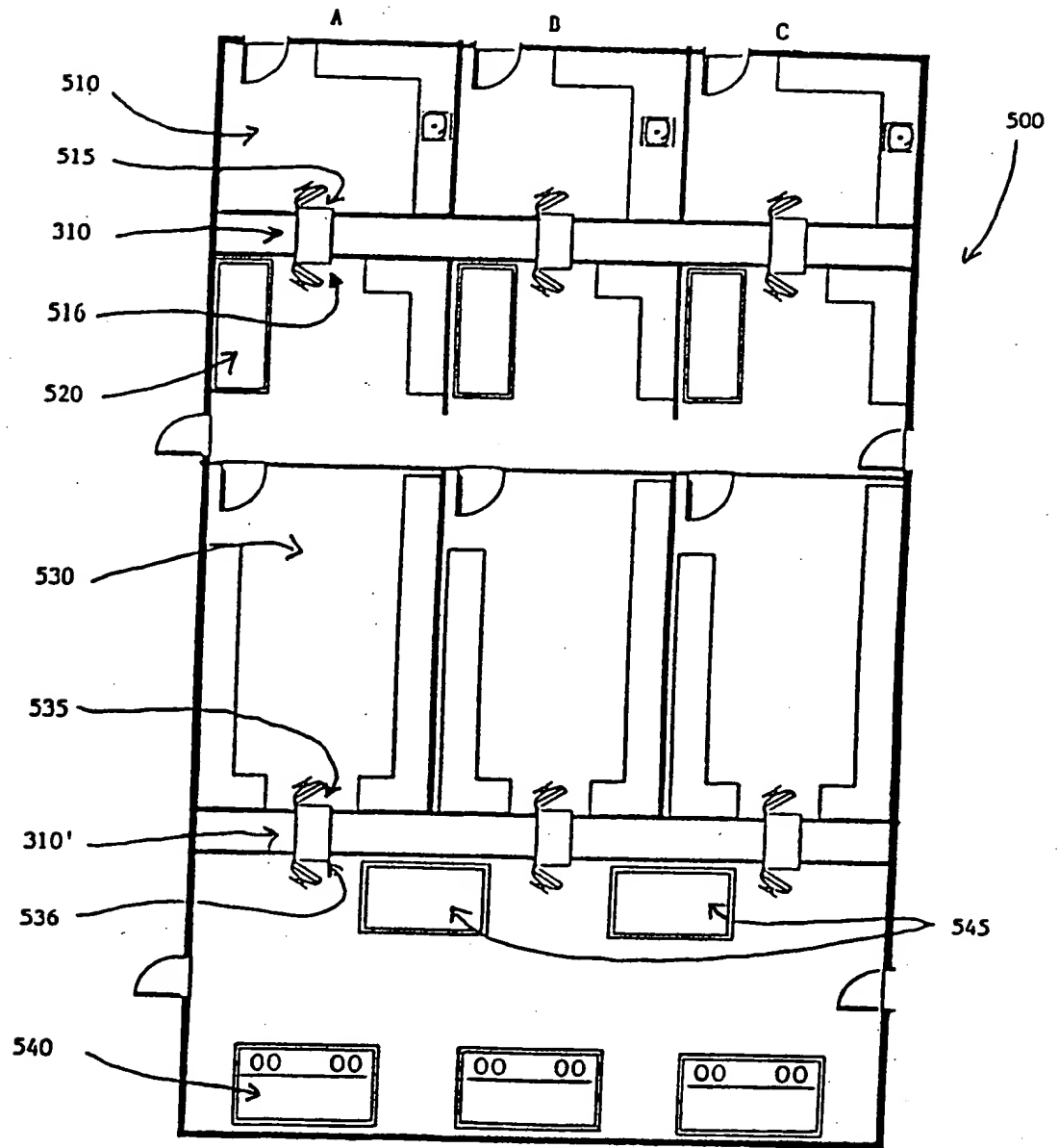


FIGURE 4

**FIGURE 5**

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FIGURE 6

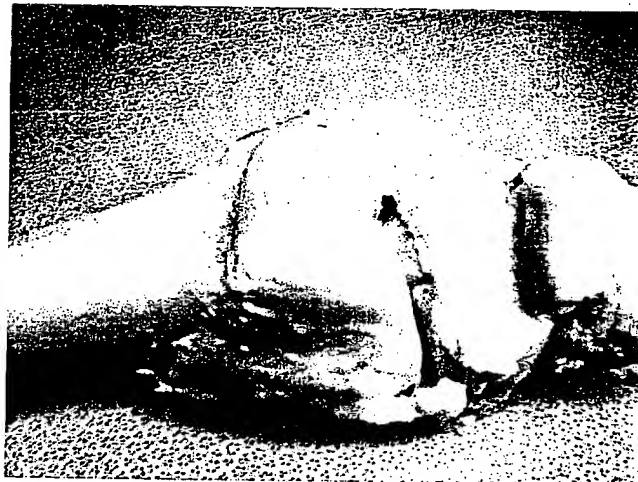


FIGURE 7

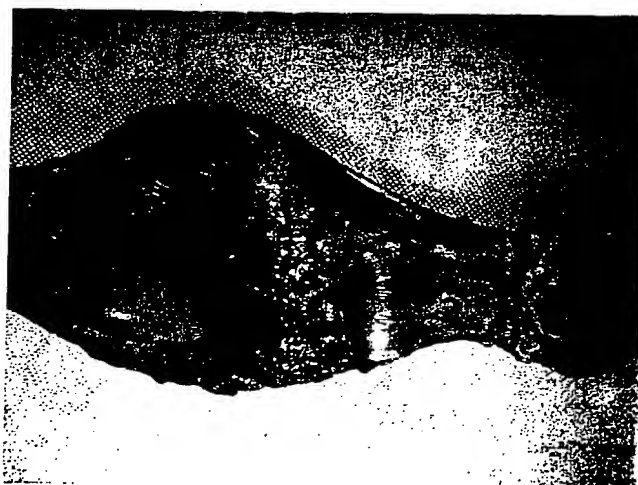


FIGURE 8



FIGURE 9

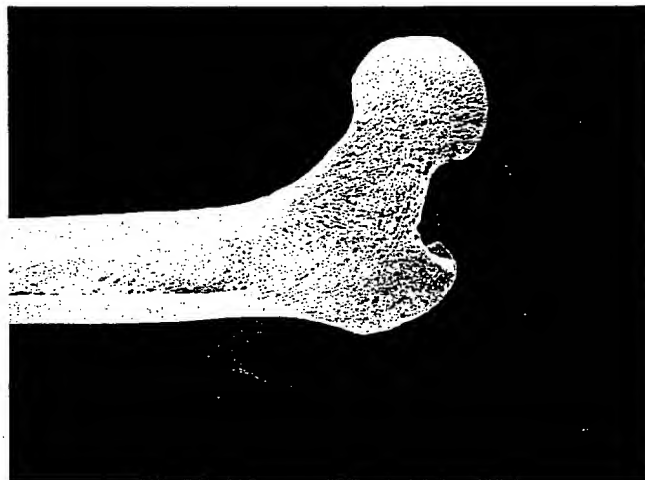


FIGURE 10



FIGURE 11

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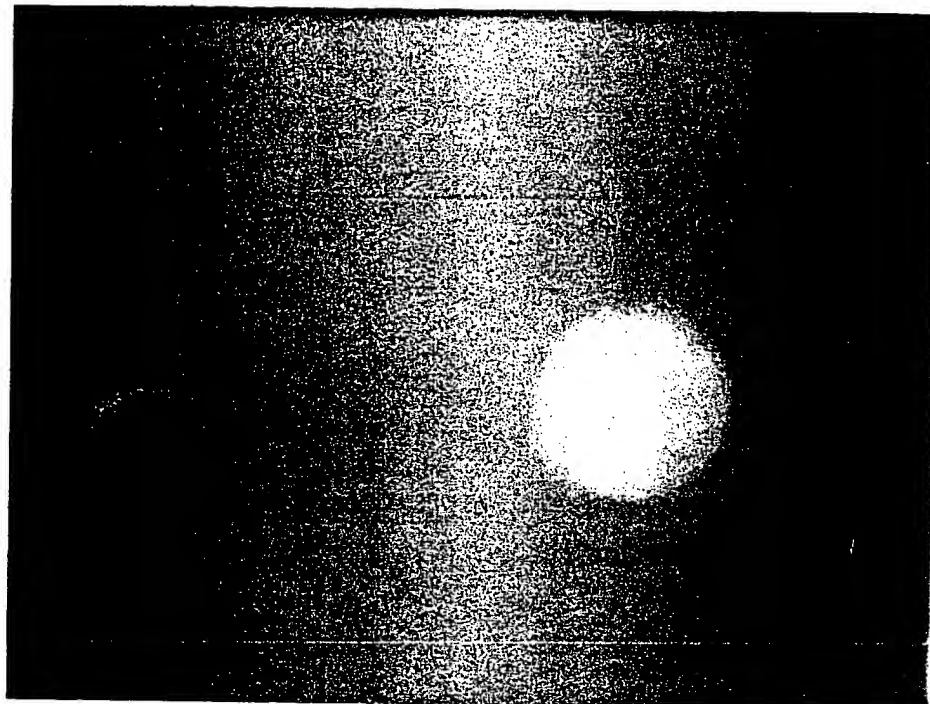
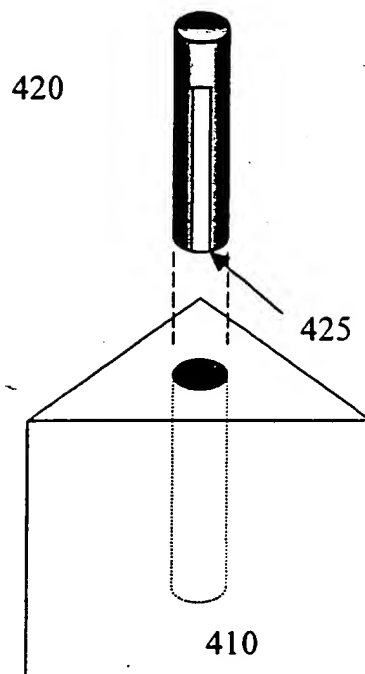


FIGURE 12



FIGURE 13

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**Figure 14**

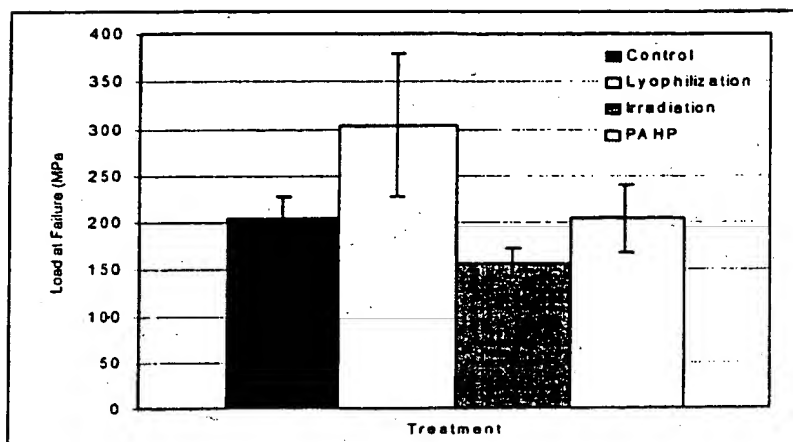


FIGURE 15

### % Mass Gained as a Function of Time

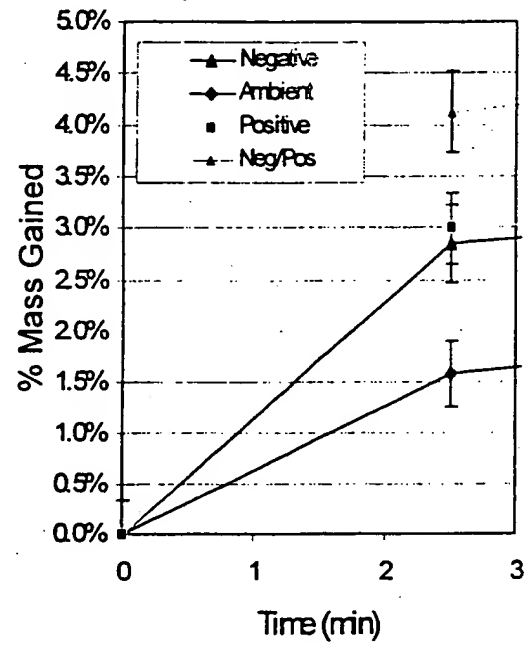
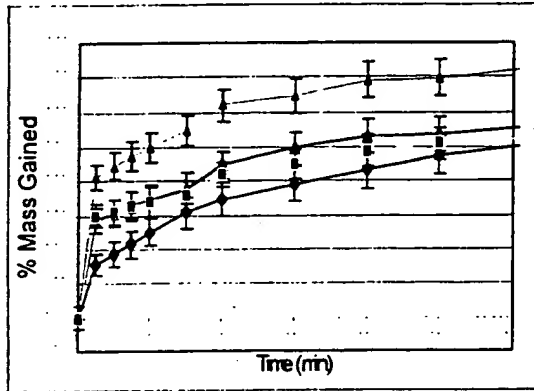
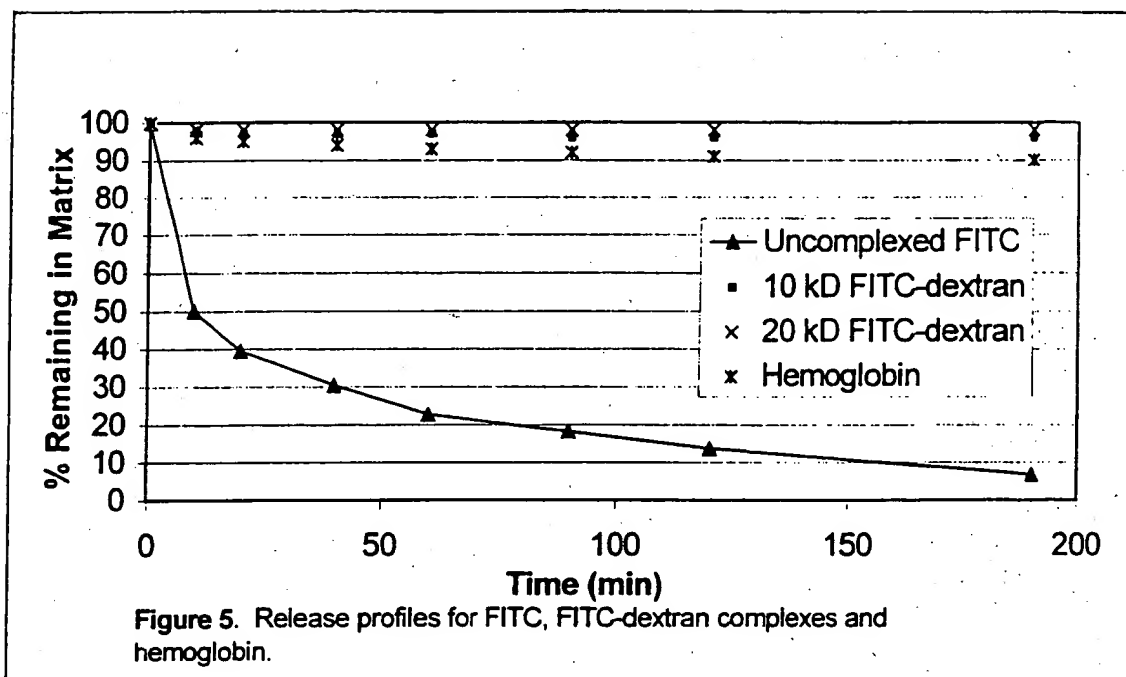


FIGURE 16

FIGURE 17



# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 99/26407

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 A61L2/00 A61L2/025 //A61L101:02, A61L101:06, A61L101:20,  
A61L101:22, A61L101:32, A61L101:34, A61L101:36, A61L101:38,  
A61L101:40, A61L101:54

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 A61F A23L A61L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 5 797 871 A (WOLFINBARGER JR LLOYD) 25 August 1998 (1998-08-25) column 2, line 60 -column 3, line 37 figures 1,4 examples claims	1-57
Y	PATENT ABSTRACTS OF JAPAN vol. 015, no. 512 (C-0898), 26 December 1991 (1991-12-26) & JP 03 224570 A (CHIYODA SEISAKUSHO:KK), 3 October 1991 (1991-10-03) abstract	1-57

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

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- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- \*Z\* document member of the same patent family

Date of the actual completion of the international search

12 April 2000

Date of mailing of the international search report

25/04/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel.: (+31-70) 340-2040, Tx. 31 851 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Thornton, S

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 99/26407

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 98 41245 A (OSTEOTECH INC) 24 September 1998 (1998-09-24) page 7, line 2 - line 7 page 10, line 1 -page 11, line 7 page 15, line 20 -page 16, line 6 example 1 figures 1,7 claims	1-57
A	DATABASE WPI Section PQ, Week 199429 Derwent Publications Ltd., London, GB; Class P32, AN 1994-239698 XP002135434 & SU 1 811 817 A (TRAUMATOLOGY ORTHOPAEDY RES INST), 30 April 1993 (1993-04-30) abstract	1-9, 12-29, 33-40, 42-45, 54-57
A	WO 97 27882 A (STERIS CORP) 7 August 1997 (1997-08-07)  page 9, line 4 -page 11, line 12 claims	1-4,6-9, 11, 14-24, 27,28, 33, 39-49, 54-57
A	WO 94 11035 A (AMERICAN STERILIZER CO) 26 May 1994 (1994-05-26)  page 14, line 14 -page 15, line 19 figure 1 claims	1-4,6,8, 12,16, 33,39

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 99/26407

## Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
Although claims 42-52 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the implant.
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

☐ The additional search fees were accompanied by the applicant's protest.

☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

International Application No. PCT/ US 99/26407

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box 1.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery

Continuation of Box 1.1

Although claims 42-52 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the implant.

# INTERNATIONAL SEARCH REPORT

International Application No. PCT/US 99 26407

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 42-52 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the implant.

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Continuation of Box I.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 99/26407

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